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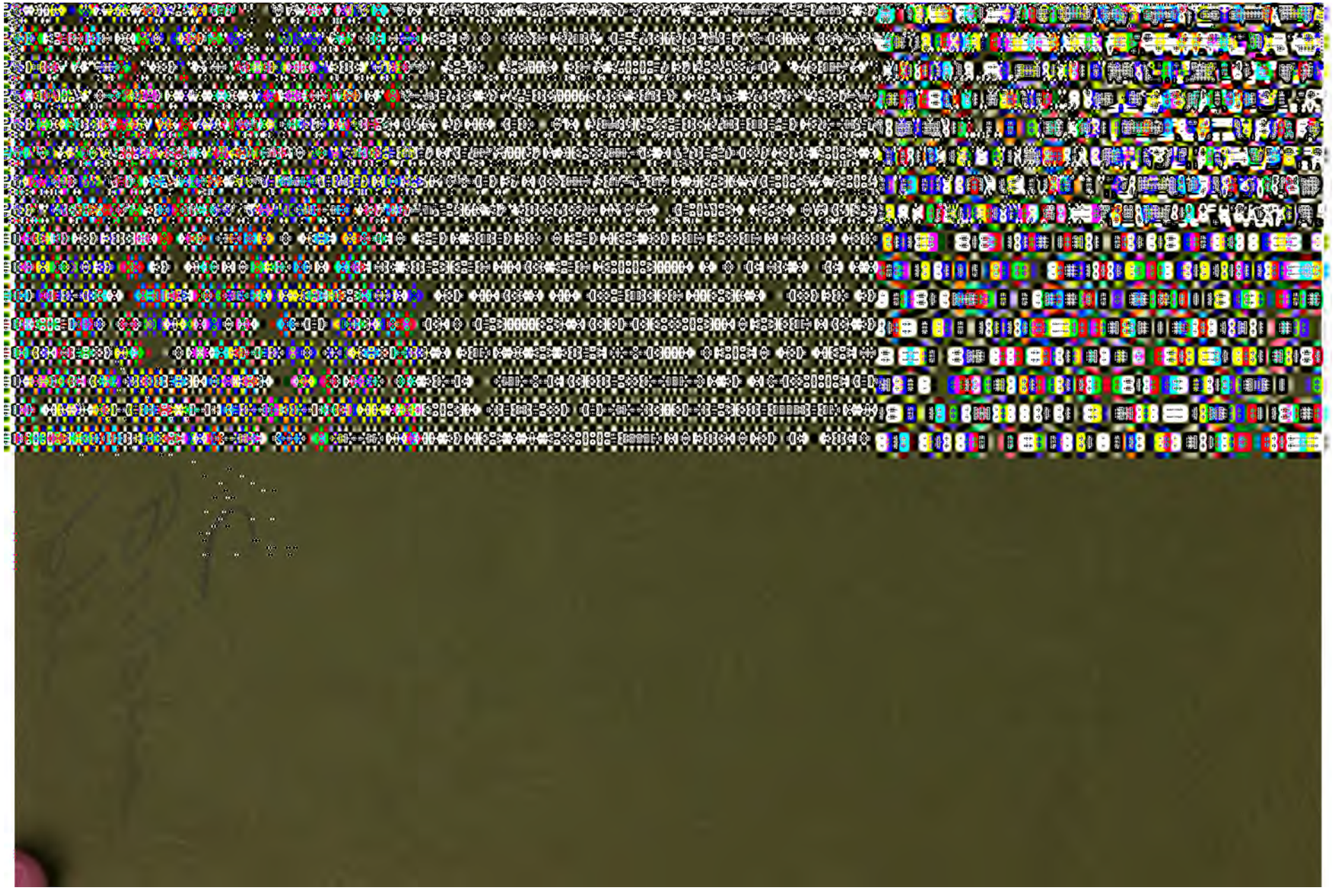

CALENDAR

OF THE

STATE PAPERS

RELATING TO

IRELAND

PRESERVED IN

THE PUBLIC RECORD OFFICE.

1660—1662.

EDITED BY

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ПУБЛІЧНА
БІБЛІОТЕКА
МЕЛІТОПОЛЬ

PREFACE.

THE Documents calendared in this Volume relate to the period which begins with the Restoration in June, 1660, and ends at December, 1662. They deal, consequently, with the attempt made by Charles II. to settle the various conflicting claims of his Royalist partisans, some Protestants and some Roman Catholics, and of those old opponents—the Cromwellian settlers—whom he dared not displace. The problem which the King's Government had to face was one for which no solution satisfactory to all parties could be found; and as we go forward in the history of the reign we shall see that Charles' policy in dealing with it, dexterous and resourceful as it was, did not, and indeed could not, effect a lasting peace. From the moment of the King's accession he was inundated with petitions by his hungry supporters for restoration and preferment; and a great many of these relating to Ireland have been preserved. The course adopted in dealing with these petitions was to read them in the Privy Council at Whitehall, of which Sir Edward Nicholas was Secretary, and refer them to one of the eminent men whom the King had formerly trusted, and on whom he now relied for advice as to the management of Irish affairs. These were the Marquis of Ormond, Sir Maurice Eustace (who now became Lord Chancellor of Ireland, and who was in England for some time in the latter part of 1660), Bramhall, Bishop of Derry (who was soon promoted to the Primacy), and the Earl of Orrery; and we find usually that the petitions are underwritten with the order of reference by the Council, which is signed

by Secretary Nicholas, and that the report of the referees upon them is written either on the back of the petition or on a separate sheet attached to it. The petitions are generally undated, and I should have had great difficulty in dating them but that the order of reference is almost always dated, and the reports of the referees are usually so. These reports moreover sometimes embody dated certificates of other persons to whom the referees in turn referred. The latest of the dates thus given is as a rule selected for placing the petition, but in cases where the petition and report are followed at a later date by Royal letters granting the request, this date is taken for the batch of documents, which, for the convenience of the reader, are grouped together. A reference to the text of the volume will show how large is the number of these petitions. They form the bulk of the first 150 pages. It will be seen that many of them, to which I could not give dates without delaying the publication of this volume for an unreasonable time, have been put in at the end of 1660.

These petitions largely exceed all the other documents which are preserved in the Irish collection; and we have little beyond them to tell us what the views of the Government were in regard to Ireland during the first few months of the Restoration. To the arrival of the deputation from the Irish Convention Parliament we have no reference; and it is only by occasional hints or incidental remarks that the trend of Charles II.'s early policy can be followed. The first indications of that policy are found in the instructions[1] given to Lord Robartes or Roberts, who in July, 1660, was appointed Lord Lieutenant of Ireland. Thomas, Earl of Ossory, had already been appointed Lord Deputy, but Lord Robartes was early chosen to succeed him. The instructions show a desire to increase the efficiency and loyalty of the army, the industry and honesty of the law officers and judges, and to promote trade—but this latter desire is now, as heretofore, subject to strong protective reservations in favour of English manufacturers

[1] pp. 14-17

and merchants. Lord Robartes, in spite of his appointment, never went to Ireland, and at some date previous to October 4, 1660, Sir Charles Coote, now Earl of Mountrath, who was already President of Connaught, and Major William Bury were appointed Commissioners for the Government of the country. The first of their despatches in this volume[1] deals with Nonconformist preaching in Dublin and shows the Commissioners determined to enforce conformity, at all events in the public utterances of the clergy. The Commissioners also expelled from the army certain disloyal officers whom they thought had "a design of enlisting men to disturb the present peace here."[2] The Roman Catholics were very strong in the out-of-the-way parts of the country, and, in October, an assembly of Roman Catholics at Killeevan in the county Monaghan threatened a party of soldiers with "hanging and other torture,"[3] when an attempt was made to disperse them. In November we begin to find signs of the difficulty with which the Government was confronted in dealing with rival claimants for the same lands. In many cases the petitioners restored had claimed for lands which were not in the hands of adventurers or soldiers, and in such cases the remedy was of course easy; but in the multitude of cases where the lands claimed were in such occupation difficulties must arise. Officers of the Irish army such as Colonel Campbell, of Lord Collooney's regiment, Captain Francis King, and others,[4] who relied on the Declaration of Breda and the Proclamation at Whitehall in May, 1660, to confirm their titles, found themselves threatened by Irishmen who had got special letters of restoration from the Crown. Their petitions were sent with a strong covering letter from the Commissioners at Dublin Castle, in which is clearly pointed out the danger of displacing soldiers or officers who were entitled to their lands in payment for their services. The danger increased as the numerous petitioners already referred to got orders for restoration, and though Lord Mountrath wrote on November 29 that the English officers

[1] pp. 41-3. [2] p. 45. [3] p. 54.
[4] pp. 82-3.

were ready to sacrifice much to loyalty, it was plain that such loyalty would not lead them to consent to complete expropriation.

It was under these circumstances that the Declaration of November 30 was issued by the King's Printer.[1] There is as I have noticed no reference in the text to the presence in London of the delegates of the General Convention which had been summoned in Ireland at the Restoration; but such delegates were present,[2] and, apparently, gave their advice when it was being drafted. The Declaration shows that in the last resort the King was determined to rely on the Protestant parties. It sets out at commencement the Royal desire to be careful of the interests of the adventurers and soldiers who had Parliamentary titles to these lands, and then refers to the Treaties which Charles I. and Charles II.[3] had made with the Irish insurgents, as if to justify the claim of these men to restoration. It also mentions the good services done to the Royal cause by those of the insurgents who followed the Stewart fortunes abroad. These good services merited the King's justice and favour, but that favour could not easily be shewn without interfering with the Cromwellian settlers. The adventurers were therefore first confirmed in the lands in the ten counties and in Louth (except in the barony of Ardee) which they held in May, 1659, and provision was made for supplying any deficiency needed to pay them in the full measure promised by the Acts of 1642-1643. The same provision was made in favour of the officers and soldiers. But these benefits were not extended to cases where estates either of adventurers or soldiers had been obtained or enlarged by bribery, forgery or false admeasurement, or to the lands of certain excepted persons or those who had obtained Church Lands, or to those who opposed the Restoration or those whose title came merely

(1) John Bill at the King's Printing House in Blackfriars, see p. 104.

(2) See Leland's *History of Ireland*.

(3) In September, 1643, March, 1646, and January, 1649; see *Cal. of S.P. Ireland*, 1643-47, *Preface*, pp. xlii *and* xlv. *and ditto* 1647-60, *Preface*, p. xxi.

from a decree of the Cromwellian courts in their favour as against an occupying adventurer or soldier.[1] If the lands restored to adventurers or soldiers were encumbered, compensation in respect of the loss of value due to the encumbrance was to be claimed, and given out of lands in the county Kildare.

The officers who had served in Ireland before June, 1649, were next dealt with, and certain lands in Wicklow, Longford, Leitrim, Donegal and elsewhere set apart for their payment. They were also given the first claim upon the forfeited houses in the walled towns in Ireland which were not already disposed of, with the intention of concentrating these tried servants of the Crown in the strong places of the country. For their further satisfaction the fund now about to be raised by the payment of a year's and a year and a half's rent by the soldiers and adventurers was set apart. Out of this fund the officers who served before June, 1649, and had had no satisfaction, were at once to be paid twelve shillings and sixpence in the pound of their arrears, and, after such payment had been made, the remainder of the lands allocated, and sums reserved for them, were to be disposed of as the Crown should direct.

Turning from the Declaration to the Instructions[2] given to the Commissioners appointed for its execution which were embodied with it in the Act of Settlement, we find further directions as to the just treatment of these old soldiers. Regulations were made for estimating what was justly due

[1] See the Declaration, Sec. 7; Irish Statutes II., pp. 248-9.

[2] No manuscript of these instructions has come down in the State Papers but they are annexed to the Declaration in the Statute Book, and to the prints of the Act calendared in p. 697. They will be found in the *Statutes of Ireland* II., *pp.* 264-348. In order to explain the documents in this volume I have had to use these instructions. The Preamble to the Act of Settlement intimates that they were published at the same time as the Declaration (Statutes of Ireland II., *p.* 240). If so it is curious that they were not printed together with the Declaration in the King's Printer's issue of that document, a copy of which is calendared at page 104. I recollect having found somewhere information which placed the date of the Instructions at about February 15, 1661; but cannot, at the time of writing, recall it.

to them and also for compensating any person whom they displaced for any improvements he had made during his possession.[1] The Commissioners were also to discover what rents the adventurers or officers or soldiers who had got lands before 1649 then paid to the Crown; and the officers who got possession of improved lands were to pay eighteen pence in the pound to the Commissioners as rent for their holdings. Further payment of a year's rent and a year and a half's rent was to be made by the soldiers who had got lands, and special directions[2] are given for confirming this payment. Under a subsequent section[3] moreover these officers were not to have preference before any innocent Papists to whom lands in corporate towns should be restored by the exercise of the King's power under the Act. Where, in these cases, the two interests clashed, the "49" men were to give way, and get reprisals elsewhere. Moreover the security given to these old soldiers was further depreciated by a direction[4] which charged it with the sums due to those who had contributed for the support and supply of the army before September, 1643. These provisions led to much discontent among the "stalwarts," and were, in a measure, the cause of the abortive Protestant insurrection of 1663. Officers who served under Ormond or Inchiquin between 5 June, 1649, and 10 December, 1650, and had not afterwards served elsewhere than in the King's army, were treated as a special class and allowed satisfaction for their whole service.[5] The estates now granted might on the application of the holder be confirmed by patent if the owner desired, and the rules laid down were to supersede any particular grant of earlier date made by the Crown to individual applicants.[6] A later section[7] empowered the Lord Lieutenant to set apart lands to the value of £1,000 a year for endowing workhouses and hospitals for soldiers who had been wounded in the Irish wars.

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(1) Instructions, Section 115.

(2) Instructions, Section 38. (3) Section 88. (4) Section 90.

(5) Instructions, Section 121.

(6) Section 56. (7) Section 210.

The eleventh and twelfth sections of the Declaration introduced the first great difficulty. They provided that Protestants who had not been in rebellion before 15 September, 1643, and whose lands had been given to adventurers or soldiers for their satisfaction, "or otherwise disposed of to any other person," should be at once restored; and that if this restoration involved the expulsion of any adventurer or soldier, such person should be expelled, but should receive a "reprisal" of equal value elsewhere. This benefit was not extended to those Protestants who had already accepted compensation in Connaught or Clare, or to some other small classes; but these exceptions must have been trifling. The provision gave to an immense number of Protestant Royalists the right to return and expel the Cromwellians from their holdings.

The next class dealt with was that of innocent Papists—the Roman Catholic Irish who had not taken part in the insurrection of 1641. These had in many cases been turned out by the Cromwellian Government in order to make room for adventurers or soldiers. In some cases they had accepted the inevitable and had taken such compensation in Connaught as was offered by the tender mercy of the Court of Claims[1]; but the Legislature now resolved that such acceptance should not bar their title to restoration. They were, however, required to give up the lands which they had got in Connaught and Clare and these in time formed a fund of land with which other persons could be "reprised"; but there is no indication that the adventurer or soldier in Queen's County or Armagh who was moved out under this section to make room for an innocent Papist must necessarily take the particular estate which that innocent Papist had held in the West. The section was not to apply where the restoration of such Papists would involve the removal of any English who had recently been settled in the corporate towns of Ireland.[2]

[1] In many cases they refused to take such compensation. See, for information on the subject, below, p. 788, Index *s.v.* IRELAND, Provinces, *Connaught*, lands in, &c.

[2] Declaration, Section 18.

These latter were too valuable to the country to be removed, and therefore, in cases where their estates were claimed by innocent Papists, these Papists were to be content with equivalent lands "near the said corporations." Special provision of this kind was made for the Popish inhabitants of Cork, Youghal, and Kinsale. Power was, moreover, reserved to the King to grant restoration in full to these innocent Papists in particular cases; and the text of the Calendar gives several instances in which that power was exercised.

The Instructions, by putting a strict interpretation on the term "innocent Papist" imposed limits upon the application of these sections. They provided that no Papist who, before the peace of 1643, was of the rebels' party was to be restored as innocent, or anyone who, being a responsible person, had enjoyed his estate in the area controlled by the insurgents during the first two years of the Insurrection, unless such person had been compelled to live within that area by being driven from his residence elsewhere. Papists who had entered the Roman Catholic confederacy before the Treaty of Kilkenny[1] or sat in its councils, or who had joined the Nuncio's party, treated with the Duke of Lorraine, or, whilst living in the Royalist area of control, had corresponded with the rebels, were alike excepted from the benefits of restoration; and those who were restored were not to have their estates till the adventurers and soldiers who might have to be displaced had received reprisals. Such Papists as were restored were obliged to pay the same rent as the Protestant adventurers. The adventurers removed from the Duke of Ormond's estate were, like the innocent Papists of the Southern ports, treated with special favour.[2]

The persons who had advanced money at the beginning of the rebellion for support of the English army in Ireland were next dealt with,[3] and the lands which had been given to them

[1] January, 1648-9. For further exceptions see the Instructions, Section 11.

[2] Instructions, Section 17-19. [3] Declaration, Section 19.

confirmed. As this class is apparently different from the class of Adventurers, it is not easy to say of whom it consisted, but there is no doubt that the Lords Justices and Council incurred debts of this kind before the first Adventurers' Act of 1642. The Calendar of Irish State Papers for the years 1633-47[1] affords some evidence as to these outgoings, and it is possible that this provision was for the benefit of those who, thus early, had advanced money for the public service.

After some brief special provisions in favour of the Duke of Albemarle, Lord Orrery, the Coote family and a few others, the Declaration goes on[2] to distinguish the Papists who fought in the war before the peace of 1643 and afterwards embraced that peace and took lands in Connaught, and those who did not take such lands but went abroad and followed the Royal fortunes. Those in the first class must abide by their decision to take land in the West, whilst those in the second were restored to their former estates,[3] a reprisal being first given to any adventurer or soldier who had occupied them. Various enactments were made for dealing equitably with the encumbrances or improvements upon these estates which were so quickly to change hands, but these restorations and "reprizes" must be completed by 23 October, 1661, a date which manifestly left no time for the work of removal and rearrangement. A long list of persons named for special restoration follows, which is of considerable interest to the historian, and, of course, contains many names which appear in this Calendar.

The draftsmen of the Declaration must have foreseen the great difficulties which would beset its execution, and with a view to meeting them, set out carefully[4] the order in which the various claims should be dealt with. Innocent Protestants and innocent Papists who had not taken lands in the West were first to be restored. After these were to come innocent Protestants and Papists who had taken such lands. Persons

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[1] See p. 341 *et. seq.*, and also p. 764 *et. seq.* of that volume.

[2] Section 22. [3] Section 24. [4] Sec. 28.

who, by reason of this Declaration, were deprived of estates in Connaught or Clare were protected by the provision that they should secure reprisals elsewhere in Clare or Connaught before they were moved. Next to these were such of the Irish Papists as had constantly followed the King's ensigns abroad. The remaining lands were to provide for those who contracted debts for the support or supply of the army before 1649. On all these lands, both in and outside towns, rents[1] were reserved for the Crown equal to their old rent or to certain new standard rents now set up, whichever were the greater. The Lord Lieutenant was directed to review the judgments of the Cromwellian Courts granting land in Connaught and Clare, and to rectify any injustice which they might have inflicted; and the King graciously accepted the offer of six months' rent made by some adventurers and the whole year's rent offered by others in return for this generous settlement. Commissioners were to be appointed to settle Protestant plantations and see to the erection of churches: and the Declaration closed with naming a few exceptions. The men who plotted to surprise Dublin Castle in 1641, those who sat in judgment on the late King and signed and sealed the warrant for his execution, "or who were of the guard of halberdiers assisting to put the bloody sentence of death in execution," were so excepted. Lastly, the Declaration[2] was not to apply to the lands which before October, 1641, belonged to any city or "sea-town incorporated." Such lands were to vest in the King and to be restored to those corporations which might merit the Royal grace and favour.

The Declaration was, as I have stated, followed by long and detailed instructions (some of which have been already noticed) to the Commission appointed to execute it. This body consisted of the Earl of Cork, Lord Conway and Killulta, Lord Valentia, and some thirty other soldiers or lawyers,[3] and as much

[1] Specified in Section 30. [2] Section 36.

[3] For their names see *Statute, Ireland II.* 264. The Instructions are briefly described here, so far as is needful to explain the text of my Calendar.

depended on the way in which the Declaration was executed, their instructions were drafted with great care. The onus of proving title was in the first place thrown on the adventurers, who, before October 23, 1663, were to certify the nature and extent of their claims, the Act under which they made them, and the place in which they claimed, on pain of losing three years' profits. Those adventurers who had surveys were directed to bring them in with a view to comparing them with the survey made for the "late powers"; and it was directed that, subject to an appeal for re-survey at the expense of the appellant, that survey should be accepted which was most for the King's advantage. The Commissioners were to see that no profitable land was held as unprofitable, and were to ascertain the exact amount due to each person, cutting off any surplus which he might have wrongfully obtained. The fund of surplus land so obtained was of course intended for those who had not been fully satisfied. Some allowance, though not a full one, was to be made if the lands given proved to be encumbered.

The Commissioners were next to see what estates were held by regicides of the late King, and what lands had been obtained by forgery; further, what lands had been concealed (*i.e.* mortgaged and privately assigned) before and in anticipation of the rebellion to persons who had since forfeited them. These lands were to be taken for the purposes of the Act. Moreover the "doubling ordinances" of 1643 and 1647, by which men who had paid in £125 got £250 worth of land[1] were not respected, and it was enacted that claimants under them should only be paid the just equivalent of their subscriptions. All adventurers who had or claimed any land were declared liable to pay one whole year's value of such land by two payments in November, 1662 and 1663, whilst soldiers were to pay half this amount in one payment on the former of these dates. For these payments the value of the land in 1659 was made the standard, and power was taken

[1] See *Cal. of S.P. Ireland, Adventurers*; Preface pp. xiv-xv. *and* Instructions, Section 127; see also Section 196.

by the Crown to issue commissions to inquire and report as to whether they were honestly and fully paid. The Earl of Orrery and Lord Massereene were appointed Receivers of the sums paid in, and, as we know by references in the text, numerous orders for payments out of the fund were made upon them.[1]

It was presumed that these provisions would give the Commissioners a fund of land to start with; and the instructions then direct the manner in which they were to proceed to the restoration of the various classes. The portions of the instructions relating most directly to restoration or compensation have been already mentioned; and the remainder deal either with the claims of private individuals who were influential enough to get clauses in their favour or with the actual administration of the Act. These special clauses are very numerous,[2] and I should be trespassing beyond the area prescribed for a Preface if I discussed them at any length; but in connexion with the text in the Calendar one may notice the very full and generous provisions for the Duke of Ormond, and those in favour of the Earl of Mountrath (Coote) and his relatives, the Earl of Mountalexander and the Allens, Lord Chancellor Eustace, Sir George Lane, Secretary to the Irish Privy Council, the O'Neill and Lord Massereene, Colonel Vernon, and the Earl of Cork.[3] Amongst the numerous particular provisions was also one confirming the lease which the Marquis of Antrim had made of his estates in the barony of Carey, the lordship of Ballycastle and the island of Rachlins (Rathlin), for 99 years, to Alexander and John Macdonnell and others as a security for his debts.[4] The lands leased were handed over by the Act to trustees upon trust for payment of Lord Antrim's debts.[5] But as the text of my

[1] Sections 136-138 and Text p. 287 *n.*

[2] See the Declaration, Section 14, and the Instructions, 17, 44, 119, and 170-174.

[3] See also the Instructions, Sections 50, 63, 89, 106, 130, 142, 145, 148, 150-152, 162, but the cases are too numerous to mention.

[4] See text p. 648 *et seq.* [5] Section 159.

next volume will show, this arrangement by no means settled the questions at issue between the Marquis and his creditors. Sir George Lane's estate was probably a large one, for besides the property which he had purchased from the heir of Sir Thomas Dutton and others in Longford and Leitrim, it included the valuable estate in the county Dublin of Philip Hore of Kilsalghan. This latter property was the cause of some controversy, of which we have a few details in the text.[1] In many of these cases the restoration was made subject to reprisals, but whether reprisals were or were not given, the practice of making private arrangements for the restoration of certain persons must have interfered grievously with the general settlement. We know indeed from letters that this was so, and it will be seen that in 1662 the Duke of Ormond made representations as to the viciousness of this practice.

Any person who made a false claim or who claimed an unencumbered estate in exchange for one which was encumbered was at once to forfeit his right to restoration. Special provisions were made for the adventurers to be moved off the estate of the Earl of Clancarty, and for full satisfaction to Erasmus Smith, and the benefits accorded to Smith were granted in order to enable him to incorporate the five free schools in Ireland which he had already obtained leave to establish. The land which he bequeathed for that purpose was exempted from the payment of one year's rent to which all adventurers' lands were made liable.[2] Directions were also given for the keeping of books by the Commissioners, which were finally to be delivered to the Auditor-General of Ireland, and the Commissioners were directed to send in reports to the Government. They were also forbidden to buy any land till their work was finished. The oath to be administered to them is set out,[3] and the settlement of their fees was left to the Lord Lieutenant. The time for putting in claims under

(1) See Index *s.v.* Hore.

(2) Instructions, Sections 136 to 140; and for a further special clause in Smith's favour see Sections 192 and 198.

(3) *Ibid.*, Section 75.

the Act, for discovering bribery or forgery in the making of claims, for showing encumbrances, and for completing the other objects of the Declaration were extended by the instructions to various points of time in the future.[1]

Special regulations[2] were also made for fixing and collecting the King's rents from all lands, and for payment[3] of the surveyors, sub-commissioners, and other officers whom the Commissioners would have to employ to carry out the intricate work of computation and admeasurement. It was further directed that the officers and soldiers who in the year 1653 had had lands set out for their arrears, or who were still in the army at the date of the Declaration, should from 29 September, 1662, pay the Crown one year's rent of their lands, measured by the rent which they paid in 1659; and that officers and soldiers who had had such lands set out in 1655, 1656 and 1657 should pay a year and a half's rent to the Crown, measured by the same standard, the payment commencing six months after such persons received reprisals. These payments went into the security for the arrears of the "'49 men."[4]

If any person, to whom a debt of pounds with odd shillings and pence was due, obtained certain acres of land with odd roods and perches, these fractions, if they did not exceed one-hundredth part of each whole sum or amount, were in both cases to be "struck off" and thrown into a fund for disposal according to the wishes of the Crown.[5] We know that some part of this land was afterwards devoted to the support of one of King Charles' favourite institutions, the Royal Society.

It should be noticed that shortly after this provision, which is immediately followed by some private clauses, the mandatory form of the sections "You shall therefore do this"

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[1] Instructions, Sections 78-84.

[2] *Ibid.*, Sections 45-48. [3] *Ibid.*, Section 58.

[4] Instructions, Sections 86 and 87; and Declaration, Section 9.

[5] Instructions, Section 59.

is abandoned by the draftsman, and the ordinary form of the statute, "be it further enacted," commences; showing apparently that the Irish Parliament made addition to the text of the instructions when giving them the force of law. The clauses following the change do not form a logical sequel to those which precede it, but are more general in character. Indeed the whole Act is a mere congeries of provisions loosely strung together with no pretence at logical arrangement. General provisions are interspersed with particular favours. A subject is dealt with and left for a few sections only to be resumed in sections which were thought clearer, and the student who would put down in order the actual provisions of the combined Act, Declaration and Instructions will find great difficulty in doing so. Amongst the later provisions of the Instructions it is to be observed that the lands held by the Church in 1641 were restored, and all lands held by lease from the archbishops, bishops, &c. by persons who had forfeited them to the Crown, were returned to the Church except such of them as lay within the security assigned to the "'49 men." In some cases soldiers were put in as lessees under the forfeited leases, the Church keeping a low rent and maintaining its reversions,[1] but lands which had been granted or conveyed by the Church in fee farm and were forfeited were to fall in to the King, subject to certain payments for the enrichment of Irish sees. Impropriations and appropriate tithes which had come to the Crown by forfeit or escheat were also given to the church with a view to increasing the income of the vicars and choirmen of each cathedral church. At the same time provision[2] of glebes was made for the churches in every parish. The lands of Trinity College were also to be restored, the King handing back to them any lands forfeited to him by the rebellious acts of the holders of college leases.[3] The loyal inhabitants of Dublin and Drogheda, who had held out for the King till Ormond left Ireland in 1647 were also restored,

[1] Instructions, Sections 102, 108, 110, and 111.
[2] Section 110. [3] Section 204.

or in case of their death, their widows or heirs were to receive their lands and houses.[1] In conclusion a general power of promoting settlements and plantations both in the country and in towns was given to the Lord Lieutenant and Council.[2]

Such were in outline the arrangements which the Declaration and Instructions sought to make. We have no direct reference to them in the text, and the facts in the Calendar are all of the nature of details. At the end of 1660 the Royalist gentry who had been compelled by force to live in rebel quarters in 1641 and 1642, were agitated by fears that their conduct in so doing might tell against them. The Papists expelled by Cromwell were calling loudly for restoration. Meantime the religious settlement of the country was threatened by Presbyterians in the North and by Roman Catholics in the South. In the end of November, at the time of the election of freemen for Cashel, "some thirty of the most notorious Irish" inhabitants came into the Court House and protested against the freedom of the city, and with it the right to vote for a burgess for Parliament, being conceded to any Englishmen; and formally demanded restoration to their houses and lands.[3] In the North the Presbyterians were afraid of the Established Church. Their preachers urged that men should get the Bible by heart, for that soon none would be allowed to read it. In Sligo the Irish were providing themselves with powder sent from Scotland[4] and claimed that the first two years of the war were to be reckoned no rebellion and that they would soon have back their estates. Well might the Commissioners in Dublin Castle say that they were beset on all sides by parties of different interests and persuasions, but that all were united in a desire to disturb the King's Government. Perhaps their anxiety was increased by the recommendation, made apparently by Sir Maurice Eustace,[5] that Recusants should be allowed to be in the Commission of the

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[1] Section 188. [2] Sections 184 and 185.
[3] pp. 118-4. [4] p. 180. [5] p. 145.

Peace and to be sheriffs, provided only they took the oath of allegiance. Lord Mountrath was, however, against the proposal, and it seems that the Government in London was at the time guided by his opinion.[1] The policy in England was to rely in the last resort upon the Protestants, but especially the Churchmen; and any concessions made either to extreme Dissenters or to the Roman Catholics in England were subject to their approval. In Ireland the policy of general tolerance which the King pursued led him to favour concessions to the Roman Catholics; but when these concessions aroused the opposition of the Protestant and English majority they were modified or withdrawn.

The year 1660, in which so much was done in England by the Convention Parliament, had thus seen little practical progress in Ireland. A general declaration had indeed been issued, but the year 1661 opened with all the main difficulties still unsolved. Attempts were made to stop meetings of "Papists, Presbyterians, Independents, Anabaptists and Quakers," who are mentioned together[2] as common enemies of the Government. The Convention which had sat in 1660 was summoned to meet again in Dublin in January with a view to raising funds for the expenses of Government; but the Lords Justices were instructed in February to prepare writs for election of members of an Irish Parliament. Cromwell's scheme of a single Legislature for the three kingdoms was, like the rest of his efforts at constitutional construction, dropped; and although we hear afterwards of the nomination of Parliamentary delegates to attend the King in Council in England and report on Irish subjects, there is no thought of a common or federal Parliament. As if to emphasise the separation of the Legislatures the Lords Justices were informed that the King desired the Irish and English Parliaments to meet on the same day—the eighth of May. In the meantime the army was being reduced in numbers, as that in England had already been, but, in spite of this reduction,

[1] Nicholas to Eustace, p. 195. [2] p. 191.

the funds in hand were not sufficient to pay it.[1] The Protestant adventurers, so soon as they heard of the intention of the Government to call a Parliament, pressed for the despatch of a measure, which had been already drafted and sent to London, for administering the oath of Supremacy to all elected members. In this they were supported by Orrery, who remarked, with some justice, that it would be strange if those who were not allowed, without taking this oath, to be in the Commission of the Peace and administer the law, should be free to make it. Secretary Nicholas, on the other hand, hoped[2] that the question would not arise, and intimated that if it did there would be some difficulty in keeping Recusants out of the House. No doubt the King was at this moment under pressure from his mother, supported by France. Roman Catholicism was not without its representatives on the Council at Whitehall; and it is noteworthy that, in the letter in which the matter is mentioned, the Secretary of State discusses the possibility of the death of Cardinal Mazarin. Should he die, says Nicholas, his disappearance will make a great difference to the affairs of all Christendom, and when Mazarin died in March, 1661, "doubtless" wrote he, "England hath lost no good friend of that great minister."[3] Early in that month the King approved the reduction of the Irish army, but expressed his unwillingness to stop trade between Ireland and Scotland even if it should lead to the arrival of dangerous persons from Scotland in the north of Ireland. A little later Lord Massereene and Sir Audley Mervin, who had been delegated from the Irish Convention to England, returned with the draft of four bills to be submitted to the new Parliament, and with orders that it should meet on May 8. Further bills were sent over immediately afterwards by Sir Arthur Forbes. "I doubt not," said the adroit Secretary, in sending these bills to the Lords Justices, "that by your prudent care there will be discreet

[1] p. 224. [2] To the Lords Justices, pp. 228-9.
[3] p. 260.

and well affected men chosen for members of that body." [1] He hoped too that the Irish malcontents would be induced to consider, and conform to, the general interest of the country. It is curious that at the moment when he wrote thus to Lord Mountrath he addressed to the Lord Chancellor[2] a letter vindicating the liberty of election and condemning the restrictions upon that liberty which had been imposed by the Cromwellian Government. And again on April 2 we find him rejoicing[3] at the result of the English elections which had been "very well managed both in counties and boroughs for His Majesty's service and the public good. Only few good men," he adds, "are satisfied with those made in London."[4] The approaching assembly of the Irish Parliament raised various interesting legal discussions in the Irish Council, of which some account is given by Lord Chancellor Eustace's despatch of 3 April.[5] It was agreed amongst other things that noblemen who had been indicted of high treason and outlawed were not eligible to sit in the House of Lords, and that even if the Chancellor summoned them by writ, the summons would not abolish the outlawry. The decision of the Council was not however final, and Eustace proposed to summon the outlawed nobles, and leave the question to be decided by the House of Lords. At the same time he too protested against the giving away of lands by individual grants, and pointed out once more the fatal results to which that practice was certain to lead. Before the meeting of Parliament one may notice a letter[6] from the King to the Lords Justices authorising a remarkable grant in favour of the Earl of Orrery—nothing less, indeed, than the right to appoint all the members of Corporations in all the corporate towns in Munster. This concession was accompanied by the restoration to these

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[1] pp. 267-8. [2] To the Lords Justices, p. 289. [3] *Ibid.*

[4] *Ibid.* The elections there led to Independent victories, though throughout the country the old Cavaliers were in many cases returned. Ranke, III, 363-4.

[5] To Nicholas, p. 291. [6] p. 301.

towns of the charters which they had forfeited by rebellion. The charters as returned were, however, modified so as to compel the Corporations to rebuild their official buildings and generally improve the towns. The exclusive privileges granted to members of the Corporations which enabled them, after the fashion of mediæval guilds, to keep out new comers, were, by the same grant, abolished. The evils of this custom are pointed out in a spirit which contrasts sharply with the economic shortsightedness of the period. It is possible that the grant was drawn by the Earl of Orrery. We have evidence that influential persons were allowed to draw up the grants to be signed in their favour; and this letter contains internal evidence of local knowledge. If this presumption should be correct, the terms in which it is framed show what we already know, that Orrery was a person of enlightened views.

In April, when Parliament was about to meet, the King intended to appoint a Speaker, but the Earl of Mountrath begged[1] that the choice might be left to the election of the Commons, and intimated that he and Lord Orrery had so managed the elections that no person distasteful to the Commons was likely to be appointed. The elections, however, resulted otherwise than in England. There the majority was stoutly loyalist. In Ireland, it consisted of adventurers and soldiers,[2] and the English and Irish Governments were accordingly anxious as to the probable result of the meeting of Parliament. It was, perhaps, with a view to forestalling hostile criticism that the King by letters of 9 and 15 March had directed that all grants should be stayed till the persons restored or reprized by the Declaration should have been satisfied. We do not know what particular representations led to the issue of this order, but it no doubt tended to quiet the adventurers' minds. At the same time the Crown came to the conclusion[3] that persons who had been outlawed for treason could be called to Parliament

[1] p. 814. [2] p. 822. [3] pp. 822 and 825.

if the outlawry was one which had not been declared after a hearing in Court, but merely existed by the default of the alleged outlaw. When the House assembled on May 8 Lord Chancellor Eustace made an eloquent speech expressing gratitude at the happy Restoration and indicating the general intentions of the Government.[1] The speech was calculated to soothe the feelings of the adventurers, for the Lord Chancellor assured them that they were "the first men to be assured in their just possessions," and referred in glowing terms to the manner in which, when the flood gates of insurrection had been opened in the country, "these noble adventurers" had opened their purses to enable England to stem the torrent. The Commons, appeased by this pronouncement, passed a declaration sent them by the Lords in favour of the re-establishment of the Church upon its legal foundations, and pledging their support to the Archbishops and Bishops.[2] The Commons, however, desired that the oaths of allegiance and supremacy should be taken by all their members. The Lord Chancellor opposed this desire in the Council, and his conduct in doing so was commended by the Crown.[3]

The news of the King's engagement to the Infanta of Portugal reached Dublin at this time. Bonfires and salvoes of artillery in the city proclaimed the public joy, and the Houses passed a resolution congratulating the King on his intended marriage "with such a person as might bear some proportion with his high birth and Royal virtues as well as with his princely inclinations."[4] The Protestants were no doubt satisfied that a Spanish marriage had been avoided, and that the King was to marry a princess whose country was, at the time, at war with Spain. After a few days business in the Houses went smoothly. The dexterous management of Primate Bramhall, Speaker of the Lords, and the industry of Sir Audley Mervyn, the magniloquent and courtly Speaker of the Commons, secured in the first three

[1] pp. 328-9. [2] p. 334. [3] p. 332 and p. 347.
[4] p. 338.

weeks the establishment of the liturgy, doctrine and discipline of the Church, a denunciation of the Covenant, and the continuance of the excise, customs and other revenue arrangements pending an Act of Parliament; whilst the clergy in convocation offered eight subsidies, but pleaded for a reversion of their 20th parts and first fruits.[1] On May 14 we notice that the Committee of the Privy Council in England for Irish affairs had before them the complaint[2] of certain Irishmen who, when they returned to Galway, found that they were not allowed to trade there. It was resolved at Whitehall[3] that the Roman Catholic merchants of Ireland who had been expelled or prevented from trading in the pre-Restoration days be allowed to return and traffic in the country. The resolution was followed by Royal letters of 22 May,[4] and a little later Secretary Nicholas[5] was almost anxious as to the results of the policy of toleration. At the end of July the Parliament, unable to pass supply in a constitutional way, sanctioned the raising of a poll tax in the manner approved by the Convention of 1660 and the continuation of the customs, excise and new impost at the existing rates; and was prorogued for a month. Before the prorogation, however, each of the two Houses had given instructions to a body of Commissioners who were to be sent to London to represent the state of the country. These instructions were not identical,[6] but in a general sense directed the Commissioners to emphasise strongly the need for maintaining the Protestants and adventurers' interest. The Commission consisted of four members of the House of Lords and thirteen of the Commons. The Upper House of Convocation sent the Bishops of Cork and Elphin, and the Lower House the Dean of St. Patrick's, Dublin. The King, as soon as he heard of the intention to despatch delegates, informed the Lords Justices that he did not wish to see more than six

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(1) Bramhall to Nicholas, pp. 344-5. (2) p. 383. (3) p. 325.
(4) pp. 338-9. (5) Nicholas to Mountrath, p. 368.
(6) See Lords' Journals [I] for 26 July, 1661, and Commons' Journals [I] for 31 July, 1661.

persons[1] but the whole body, with the exception of the clergy, who were appointed later, arrived in London on August 11th and 12th, and with them certain representatives sent by the Lords Justices themselves. Soon after their departure the Lords Justices and Council sent a despatch[2] to London in which their views as to finance were explained. They strongly advocated the abolition of the Court of wards and of wardship, which had been abolished in England. Would any man, they asked, invest capital in Irish land subject to wardship whilst investment in English land which was free from such a burden was open to him? Would the small adventurer and investor, who could not afford to buy large holdings but could pay a considerable fine for a lease for lives, come to a country where his property might not pass to his heirs at death? And above all, would the Dutch, to whom the King intended to grant the privileges of naturalisation in the next Parliament, come to the new country if they heard that their children might have to yield to strangers the profits of any lands acquired in that country? The wardships in Ireland brought in but £7,500 a year, and the Council thought that if the Crown would abandon them, the nation would in return grant permanent excise to the extent of £50,000 a year. Meantime they issued an urgent proclamation to collect the Crown rents and to stop the circulation of base coin. Their dispatch of August 13th crossed one of the same date from Nicholas[3] in which the views of the King in Council as to the Irish Roman Catholics are expressed. Innocent Papists were to have leave to live and trade in the towns but were not to be allowed privileges of magistracy or government there; and it was not the purpose of the Government to restore to the towns all Papists who had before the war been free of them. Soon after these despatches had been sent the Lords Justices' letters of 21 August arrived in London, and brought some significant testimony as to the conspiracy and correspondence between the Irish Papists in many parts of

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[1] Nicholas to the Lords Justices, p. 891.

[2] On 18 August. See pp. 394-6.

[3] pp. 396-7.

the kingdom set on foot by Col. Daniel O'Cahan—"a person of no estate or fortune in the kingdom, but a bold and daring man." On August 24 Sir Edward Nicholas in a letter addressed to Lord Justice Orrery answered the suggestions of the Irish Government as to the abolition of the Court of wards. The King based his objection to such a change on the ground that wardship had long been an agency for converting young Roman Catholics of good estate to Protestantism, and wished to know what proper substitute for that agency could be suggested. He approved readily the bill for naturalising Protestant strangers, whilst the Lords Justices were directed, in answer to their letter of August 21, to prevent Papists from embroiling the kingdom. The Privy Council in the meantime was scattered for the holidays, and the legal advisers of the Crown in England were instructed to consider the bills sent over from Ireland; but nothing had been done before the Irish Parliament again met on September 6. The poll money bill hastily passed through according to law, and also another bill declaring that the King's assent to these bills should not determine the session.

It is at this point[1] that we come across the first of an instructive series of letters from Sir William Domvile, the Irish Attorney-General, in which the main difficulties of the situation are described with unusual skill and clearness. The information in these dispatches should be studied with care. They are so full of important matter and contain so little that is superfluous that it is not desirable to make an abstract of them. They indicate clearly the essential difficulty of combining legal justice to the adventurers with moral justice to the innocent Papists, the essential conflict between the policy of restoring the old Royalists and that of maintaining the Cromwellians. At the same time the task of dealing fairly with both interests is not abandoned or considered to be impossible. There was, thinks Sir William, room for all in

[1] 12 September, see p. 419 *et seq.*

Ireland; and if the adventurers had not received about £75,000 worth of land more than was due to them there would probably be enough to satisfy all claims which could be justly put forward on the ground of "innocence." In arriving at his figure of £75,000, Sir William presumed first that the government were not bound to fulfil the obligations undertaken by the insurgent government of England towards those who invested under the Ordinance of Parliament of 14 October, 1643.[1] The extravagant terms offered by this edict to persons who would pay in money for the suppression of the Irish insurrection could not, he maintained, be regarded as binding on the restored government, and he proposed to give to the men who had advanced money in answer to those resolutions terms as good as, but no better than, those given to other adventurers. If this proposal was accepted, it would reduce the obligations to the adventurers by £53,000. In the next place Sir William found, by search in the records left in Dublin by the Cromwellian officials, that only £318,000 was even alleged to be due to the adventurers. The whole sum due to them was therefore about £265,000, whilst they had received £340,000 worth of land. His general conclusion, which is not worked out in detail, is that whilst £75,000 worth of land had certainly been taken and concealed from the Crown, there was good reason to believe that in other ways 100,000 acres more had been unjustly taken. As an instance of this dishonesty he later[2] sent an account of the action of a famous adventurer, John Blackwell, of Mortlake. Blackwell certainly paid in some money for an adventure in Irish land, but it is equally certain that he paid in but a very small fraction of the value for the 7,000 acres in co. Dublin and Kildare, valued at £80,000, which had passed into his hands.

Of Domvile's suggestions, however, we find no trace in the dispatches of the Lords Justices at the time. They are occupied mainly by fears as to the results of restoring the Roman

[1] Explained in the Preface to *Calendar of S.P. Ireland, Adventurers*, 1642-1660, pp. xiv-xv.

[2] pp. 433-6.

Catholics or Nonconformists in the Irish towns. The town of Galway, which we know had been assigned to adventurers from Gloucester, had been occupied by a considerable number of Anabaptists and other "fanatics," and the Earl of Mountrath had to imprison the Mayor, one of the Sheriffs, and several of the inhabitants before he could assert the Royal authority there.[1] At the same time he represented to the Crown the great disadvantages under which Irish commerce suffered owing to the power reserved to the Corporations to restrain strange tradesmen from settling in their towns. A draft of letters patent which he sent for the King's approval empowered him to put an end to this state of affairs by the admission of such persons to the Corporation as would promote the development of trade and manufacture, and improve the buildings in the towns. The real object of the letter appears, however, in its concluding clause,[2] which directs that the Corporations shall be filled in the first place only with the nominees of the Earl of Mountrath. This naive proposal was not accepted,[2] but merely because the towns had been reserved for the "'49 men." Schemes of this kind appear in the text of the Calendar side by side with the practical facts of history. Parliament, which had been prorogued on September 6th, met and was again prorogued on October 10th, as the bills which would supply work for it had not come over from London. Lord Chancellor Eustace pressed afresh for the abandonment of the Court of wards, but urged that, if it were not abandoned, the Bill of Settlement should be kept back till Parliament had passed all the other bills, with a view of course to keeping the Irish Commons in a docile mood. At the same time he and his colleagues urged that the rents of restored Papists should be raised above the figure of 1641, in order to enhance the revenue. In October we find a significant proclamation[3] which they thought necessary to issue against the practice of keeping private stores of arms and ammunition.

[1] See p. 423.

[2] Nicholas to Mountrath, p. 429. It will be remembered that such a concession had been made to the Earl of Orrery in Munster.

[3] p. 437.

There were still, said this document, "too many persons in the kingdom who have not yet forgotten their disloyal, dangerous and phanatick principles," and had disregarded previous proclamations forbidding the importation of arms. These private stores were to be surrendered before December 10, and not to be continued without licence from the Lords Justices and Council, whilst ammunition would be given to those who deserved or needed to keep arms and gunpowder. A few days later full instructions "how the King's subjects may be furnished with gunpowder" were issued[1] as a supplement to this proclamation. The instructions show that the Governments considered that the existence of private stores of powder involved the country in serious danger. The places at which powder was to be kept and the persons empowered to issue licences to use it are named. We have further the curious provision that no "fowler or other person" should be admitted to use a piece unless he first conform himself to the English habit and language and be a known Protestant. At the same time[2] the Lords Justices were directed to hand over all the unappropriated houses in the King's disposal in the Irish towns to the use of the most loyal and deserving class of his supporters—the officers who had served before June, 1649. We have in the text various indications[3] of the discontent of this class of men. They suffered more than others by the King's isolated orders to restore the innocent Papists to their holdings in the towns which had been generally reserved for them by the Declaration.

The year 1661 closed without the return of the Irish bills from London. Parliament was prorogued again to November 6, and yet again to December 6; and on November 20 the Lords Justices proclaimed for the public convenience, that, Parliament or no Parliament, the King desired the customs to be paid in as usual after the period of their legal collection expired.[4] The consideration of Irish problems at Whitehall

[1] pp. 440-442.

[2] October 21, p. 446. [3] See *e.g.*, pp. 461-463. [4] p. 469.

no doubt brought out the necessity of having a really strong man at the head of the Irish Government, and there is much ground for believing that in the discussion and settlement of Irish affairs the King relied greatly on the most loyal—and not the least able—of all his friends, the Duke of Ormond. At all events, we find suddenly on November 8th speeches addressed to the King by Sir Audley Mervin and the Bishop of Elphin on the occasion of the appointment of the Duke as Lord Lieutenant.[1] Both these men were at the time in London as agents for the Parliament or clergy of Ireland. Mervin's speech, as an example of the inflated and bombastic rhetoric of the time, is given in full in the text.[2] The appointment of the Duke of Ormond was known in Dublin before the end of November, and Orrery received it with, at all events, superficial satisfaction. When the Parliament met on December 6, the Houses thanked the King for it, and after sanctioning the collection of the excise, customs and new impost as desired by the Lord Justices, were again prorogued to January 21 in the new year. It cannot be said that the Lord Justices had failed. On the contrary, they seem to have realised the difficulty of the situation very clearly, and Lord Orrery at all events was a vigorous, prudent, and resourceful man. But Eustace was old and probably corrupt,[3] Mountrath on his deathbed,[4] and Orrery had plenty to do in Munster. Moreover, Orrery and Mountrath had both fought on the other side during the Civil War, and it was not possible that turncoats, however competent, should be as successful in grappling with a problem of Irish Government as a man whose ability was great and whose loyalty and integrity could not be disputed. Early in 1662

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[1] The *Dictionary of National Biography* assigns November 4 as the date of the appointment. See Nicholas to the Lords Justices, p. 465.

[2] pp. 463-4.

[3] I do not know what their private peculations may have been, and though there are serious suspicions both of Eustace and Mountrath, I have no information on which to confirm them.

[4] He died with apparent suddenness of small-pox on 10th Dec., 1661.

numerous addresses of welcome were sent to the Duke, either by the officers garrisoned in Ireland or by the Corporations of her principal cities and towns.[1] Meantime, Parliament was prorogued from month to month, whilst the bills which it was to pass were being debated at Whitehall; and the future seemed uncertain. Early in February the Roman Catholic clergy addressed a short remonstrance and petition to the King. In this they resolutely asserted their loyalty, declared that the charges made against them were fabricated by greedy Protestants, whose only desire was to cling to the estates in Ireland which rightly belonged to the Irish, and begged that they might be relieved from persecution.[2] The arrival of the Duke of Ormond was delayed because it was realised that his mission would be fruitless if he were not supplied with the means of paying off some of the public debts, and for that purpose the King early in February directed the officers of the English Exchequer to raise £80,000 at once. Directly after, a further sum of £20,000 was demanded for supply of a new regiment of Guards, which it was proposed to maintain in Dublin. The Duke's commission as Lord Lieutenant was dated February 21, and Alderman Robert Viner, a wealthy London goldsmith, of whom we see a good deal in these documents, undertook to find the needful money, or a good part thereof, in return for a charge on the revenues accruing to the Exchequer from half-a-dozen important English cities and towns under the Act of 1661 for raising £1,260,000.[3]

At the same time, new civil and military establishments were drawn up to take effect from April 1st, probably with a view to getting a trustworthy estimate of the charges which the Irish Exchequer would have to meet. These establishments[4] give an accurate view of the framework of government at the time when the Duke of Ormond took over the duties of Governor.

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(1) See *e.g.* pp. 494, 495, and 496.
(2) pp. 508-4.
(3) p. 520; and 18 Car. II., Stat. II., cap. 8.
(4) p. 524, *et seq.*

In April we find the first letter[1] addressed to Sir Henry Bennet (afterwards better known as Earl of Arlington) as "Principal Secretary of State." Bennet was not formally appointed to succeed Nicholas until some date in October, which has not been definitely fixed,[2] and it is interesting to find that in April Lord Aungier, who was engaged with him in a predatory design on the property of Lord Clanmalier,[3] in the King's and Queen's Counties, should have addressed him in this way six months before his appointment. Sir Edward Nicholas was still in control of the Irish department, and we have letters apparently from him in an Entry Book up to September 23, 1662, when the entries cease.[4] On April 10, he wrote that the Bill of Settlement was at last ready, and that on May 4 Ormond prepared to cross to Ireland. It is at this date we meet with the first letter on an administrative matter addressed to him from Whitehall, but he did not arrive in Ireland till August. In the interval the King's letters for grants, &c., were addressed sometimes to him, and sometimes to the Lord Justices, from which one may infer that he took over the duties of government by gradual steps. Meantime Secretary Nicholas sent over the Bill of Settlement on May 10 to Dublin, where Parliament, after many prorogations, was sitting, and the House of Commons at once got to work on it. It was read a third time and sent to the Lords on May 20. Through both Houses it passed rapidly, and we have no record in these papers of any debates or amendments. It was, indeed, delayed for some time in the Upper House whilst the Excise and Subsidy Bills went through; but these were successfully passed before the second week in July, and on 7 July the King directed the Lords Justices to "pass

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[1] p. 531.

[2] See the *Dictionary of National Biography*, Vol. IV., p. 231. I at first thought that his name should be spelt with two 't's,' but found that the more correct form was with one. Both spellings, of course, occur in the MSS.

[3] The Clanmalier affair occupies much space in my forthcoming volume, to which I accordingly defer full explanation of it.

[4] These are in S.P. Ireland 308.

the Bill of Settlement with all convenient speed," a direction from which we may infer that the delay was, in part at all events, due to the action of the Government. The Royal assent to it and to several other measures[1] was signified with much solemnity by the Duke of Ormond on July 31.

The rapid passing of the Act of Settlement is not surprising when one looks into the text and finds that it is really very short. Its main object was to give to the Declaration and Instructions the force of law, and this was done with but few preliminaries. The preamble set out the enormity of the Irish insurrection of 1641, "a formed and almost national rebellion of the Irish Papists against your father of blessed memory," and stated that the crushing of those insurgents was due to the efforts of Englishmen and Protestants. The action of the Cromwellian Government in partitioning the ten counties amongst the adventurers and soldiers is briefly and rather euphemistically described. The Cromwellians, "by whom, as instruments, the said rebels were totally subdued, did, in the time of your Majesty's absence beyond the seas, for the supply of the then pressing necessities, and to prevent the further desolation of this your Majesty's kingdom, enquire into the authors, contrivers, abettors of the said rebellion and war, and after much deliberation among themselves, and advices from others had thereupon, did dispossess such of the said Irish rebels . . . . as they found guilty of the said rebellion," and had, to put it shortly, occupied their lands. But these Protestants, we are told, "as soon as with much difficulty and hazard they had gotten the power of this kingdom into their hands," had invited the King to Ireland and had accepted the declaration of Breda and that of November 30, 1660. They therefore claimed as loyal subjects that all those who had forfeited their lands by the treason of 1641 had lost them for ever, and the Act provided that these lands,[2] and the rent charges, &c., on them should

[1] H. C. Journals (I.) for 31 July, 1662, and H. L. Journals for same date.

[2] For details see Irish Statutes II., 241-2.

be forfeited to the King whether the old owners had been outlawed or not. Certain reservations were made with a view to protecting Protestants who had dealt in land since 1641, and for preserving the adventurers and soldiers who had been settled in estates in Ireland by the late powers, and restoring to the Irish church and to Trinity College, Dublin, the land which they had held in 1641. Moreover, Protestants were not to lose their lands for joining the rebels, provided they did not join them till after the peace of September, 1643, whilst a special clause was inserted to protect the property of Bramhall, Ormond and his wife, the Earls of Roscommon and Inchiquin, and a few others. Those who had got decrees of Cromwellian Courts of Justice in Ireland or from the Cromwellian Court of Claims were also confirmed in their lands. Persons to whom lands belonging to restorable persons had been distributed were to receive reprizals before any other, and the Crown waived its right to collect any rent from lands settled on it by the Act which fell due between October, 1641, and the passing of this Act. Finally, all the lands hereby settled on the Crown were to be held by it "to the intent to be settled, confirmed, restored or disposed" in such manner and by such uses as the Declaration and Instructions provided. The text of the Declaration and Instructions followed, and these documents are embodied in the Act.

Instructions had meantime been issued to the Duke of Ormond as Lord Lieutenant.[1] These do not widely differ from the directions given to his predecessors. The promotion of the interests of the Church, the maintenance of strong garrisons, the strict control of revenue and expenditure, the prospects of retrenchment, the maintenance of justice, and the promotion, according to the notions of the time, of Irish trade, are all mentioned in the usual way, and there are further rules as to the restoration of the Irish coinage to the English level, and the accurate surveying of Irish land; but there is nothing either about the management of Parliament or the

[1] pp. 555-559.

policy to be pursued in connexion with the conflicting claims of Protestants and Roman Catholics for Irish land. On June 22 a memorandum as to the official entry of the Lord Lieutenant into Dublin was placed before the Privy Council.[1] The English Government hoped that his arrival would lead to an improvement in the Irish situation; and an attempt was made to infuse some prudence into the methods of Irish administration. We have no clear evidence as to whether the reforms proposed at the time[2] were carried out, but it seems that throughout the Duke of Ormond's first year, at all events, he constantly enforced respect for the principle that no Irish grant should pass the Great Seal, Privy Seal or Signet without his knowledge and approval. In July, he insisted on a commission being appointed to inquire and report what lands or moneys were detained or concealed from the King. As soon as the Act of Settlement was passed, the Lord Lieutenant, acting on instructions from the King, appointed seven commissioners to execute it. The men chosen were Henry Coventry, Sir Edward Deering, Sir Richard Rainsford, Sir Thomas Beverley, Edward Smith, Edward Cooke, and Winston Churchill. The struggle which had raged in Parliament or in the Council over the rights and wrongs of the contending parties in Ireland was now transferred to the Court[3] held by these seven men.

At the time of the commencement of the Act, however, the land settlement was not the only pressing question. The army was unpaid, and constantly committed depredations on peaceful citizens. The revenue came in slowly before the Lord Lieutenant arrived, and recourse was had to the dangerous practice of assigning it to officers or soldiers for their payments, and leaving them to collect it. We find, however, that the first step taken by the Lord Lieutenant on his arrival was

[1] p. 563. [2] See the draft orders, pp. 563 and 564-5.

[3] They are occasionally called the "Court of Claims," but as that title is already given to other bodies, I have called them in my text the "Commissioners of Settlement." Their full title was "Commissioners appointed for executing an Act intituled, &c. (the Act of Settlement)."

to issue a proclamation[1] naming the various collectors of the poll tax and quit rents who had not accounted in the Exchequer for the sums they had received, and ordering them to bring in their accounts without delay. The practice of giving assignments of the State revenue to persons who had claims against the Exchequer was abandoned. All officers of the Irish army were ordered to return to their garrisons and not to depart without leave. To assist the collection of the customs, a further proclamation[2] was issued in September, naming the landing places at which ships carrying "dutiable" goods were to be laden and unladen; the object, of course, being to bring all such goods into the reach of the Commissioners of Customs and Excise, and to prevent the evasion of proper payments. At the same time, the Lord Lieutenant drew up a full list of military regulations, which were issued in Dublin early in October as "law and ordinances of war established for the good conduct of His Majesty's army in Ireland."[3] The rules promulgated seem to us strangely severe in some cases. A soldier who drew his sword after the watch was set, or abused those who brought victuals into camp, or made private arrangements for ransoming prisoners, was punished with death; a number of other trifling offences were treated in the same way; whilst in some cases the punishments seem to modern opinion to be rather light. In one of his first letters to the King[4] the Lord Lieutenant expresses a hope that the changes he had made in the army were such that there was now "no danger to be apprehended from it," and declares that if only the officers remember that they had not only salaries to receive but duties to perform, the army would soon be strong and efficient. In October the Commissioners of Settlement were at work, but we see from the Proclamation of October 17[5] that it very soon became necessary to exercise the power granted by Parliament for prolonging the duration of their judicial powers.[6] It is obvious that the various classes of claims could not possibly have been ascertained and marshalled within the few weeks mentioned in the Act of

[1] pp. 580-582. [2] pp. 592-4. [3] pp. 597-600.
[4] pp. 602-3. [5] pp. 603-4. [6] By the Act of Enlargement.

Settlement. In the succeeding history we shall find that the work of settlement was not one of weeks, but of years.

In and after October, 1662, Sir Henry Bennet appears to be in full control of Irish official correspondence. The Duke of Ormond begged that this might be in the hands of one Secretary only, and his request was granted. Bennet does not leave any strong impression on the pages of the Calendar, and seems to confine his attention almost entirely to the attempt to possess himself of the estate of Clanmalier in defiance of the Act of Settlement. The importance of his appointment is that he had as secretary Joseph Williamson, the most industrious official of the time, who kept a great many—one is inclined to think all—of the papers which came into his hands. The consequence is that after the disappearance of Sir Edward Nicholas the wealth of materials increases. The Lord Lieutenant's letters to him are frequent, sometimes without any ceremonial beginning or ending;[1] and from the first discountenance Bennet's attempts at a legalised plunder of the Dempseys.[2] In this scheme Bennet was assisted in Ireland by two agents, Colonel Talbot and Colonel Edward Vernon, also by Winston Churchill, a corrupt member of the Settlement Commission, whose letters give us a great deal of information on the matter. During the Lord Lieutenant's absence at Kilkenny in November, 1662, whither he went for the marriage of his daughter,[3] Bennet's agents wrote somewhat despondently of the prospects of his Irish campaign. They thought it impossible to get a clause for granting him the Dempsey estate into a public act, and urged that a private bill was the best mode of procedure. The Commissioners were meantime at work on the various claims put before them, and the letters of the concluding pages of the volume give us some idea of the difficulties which beset them. Not the least pressing

[1] "Being like to write often I avoid all ceremony of letters," Ormond to Bennet, p. 607.

[2] Ormond to Bennet, p. 617.

[3] To William Lord Cavendish, afterwards first Duke of Devonshire, p. 611.

was the host of the King's friends in Dublin who sought by the exercise of influence at Court to get behind the Act of Settlement. Whatever the faults of the Commissioners may have been, they certainly brought to light the fact that an immense amount of land was withheld from the King which should be at his disposal. Sir William Domvile, the most efficient and honest of his servants, wrote explicitly in November[1] on this point. The Council in England were already considering a bill drawn in the autumn in Dublin for explaining the difficulties in the main Act of Settlement which had actually been discussed in the Irish Parliament before that Act passed. Sir William urged that whilst this bill was being considered the King's just rights might be asserted and the land which was properly Crown land reserved to him. It is not unlikely that Sir William had something to say to the preparation of the "state" of the country, which, in accordance with ancient practice, the Lord Lieutenant sent to London on November 29.[2] The business-like grasp and precision of this statement recall Sir William Domvile's earlier dispatches and distinguish it from the other letters of the time. The outlook which it presented was not cheerful. The revenue had fallen short by £28,000 of the estimate made in October, 1661, and, even if it came up to that estimate, it would be still over £21,000 short of what was necessary to pay the charges of the Government. The annual deficit must therefore be taken to be about £49,000. The outstanding Irish debt, details of which are given in the statement, was about £220,000, and of this the twelve subsidies granted by Parliament would only pay off £180,000, so that, in addition to the annual deficit, there was a standing debt of about £40,000. Under these circumstances the Lord Lieutenant and Council asked that £60,000 should be at once sent them. With this, they thought, they could buy up or compound for the standing debt of £220,000; whilst they hoped that in two years the revenue might be raised so as to pay off the £49,000, and to

[1] p. 627. [2] pp. 635-8.

support the new regiment of the King's Guards, which had hitherto been supported by money sent from England. But the great object of the Council was to pay the regular army. What, they asked, could be done when the army was so ill-paid "that the soldiers had to plunder for food and clothing; when the condition of the ordinary soldier is such that he thinks it an advantage to be discharged; when, indeed, their condition is such and so miserable as it is a dishonour and shame to us, and a great grief to behold?" In a private letter the Lord Lieutenant begged for the £60,000, and attempts were made to use any money which was obtainable for the purpose of meeting the debts contracted by the unpaid soldiers.[1] The Lord Lieutenant further pointed out that dangers are far more likely to ensue from attempts to corrupt an army if that army is unpaid than if it is paid. In December we find a commission issued by the Crown to Lord Orrery and others, directing them to inquire and report as to the actual value in the year 1659 of the lands set out to the adventurers and soldiers, to those who had purchased from transplanted persons, or to grantees by patents. The object of this commission was to discover whether the rents due from these Crown tenants and payable by them in consideration of the good title given them by the Act of Settlement were fully paid. The funds which came in under this head had already been allocated to those who had "eminently suffered in the Royal cause," and it was probably intended to devote part of them to meeting the arrears, and paying those on whom the unpaid soldiers had made requisitions. At the same time the Irish Council objected[2] to the system, which was being introduced at Whitehall, of shelving bills which they sent over for approval under Poyning's Act. If the reasons for so shelving these bills related to Ireland itself, such reason should, said the Council, be stated. On December 20, however, the Royal consent was given by the Duke of Ormond to a number of Acts,[3] and the Houses, which had been in Session since April, were prorogued for a season.

[1] See the Proclamation on p. 662. [2] To Bennet, pp. 661-2.
[3] See Commons' Journals (I.) for 20 December, 1662.

Such was the political history of Ireland in the first two and a half years after the Restoration. The problem which the Government had to face could not be thoroughly and effectually solved without warfare. The various parties had interests between which there could be no real reconciliation, and the attempt to reconcile them, which took shape in the Act of Settlement, though it was the only alternative to further bloodshed, could not appease discontent. In my next volume, which will, I hope, contain the documents for the years 1663 and 1664, we shall watch the course of that discontent, and observe how it became so violent as to lead, in May, 1663, to an abortive attempt on the part of the disappointed Protestants to seize Dublin Castle and upset the Royalist Government. The adventurer was indeed confirmed in his lands if no Papist claimed them who could establish his claim to restoration, but the Act only entitled him to confirmation, subject to the exceptions in the Act[1]; and this meant that any Popish proprietor who could make good his claim to innocence before the Commissioners of Settlement was entitled to displace him and leave him to the doubtful remedy of "reprisals." The generosity extended to the Roman Catholics was no doubt due in part to the King's gratitude to those who had served him faithfully in the time of his reverses; but it may also be attributed in part to the growth of Roman Catholic influence at Court and to considerations of high policy into which Ireland entered merely as a minor piece upon the chessboard. Throughout the volume we find a considerable inclination to allow liberties to the Roman Catholic Irish. They were not allowed to serve as officers in the army, and in the instructions given in December to the Court of wards we find that they were not allowed to hold wardships, but there is ample evidence that they were permitted both to trade in the country and practise at the bar. On both questions we have a good deal of evidence in the papers now calendared. As to the right to trade, we find in some notes of the proceedings before

(1) Section 6 of the Declaration, Statutes at Large, Ireland II., 247.

the English Privy Council in May, 1661,[1] that the Council determined to allow "all Irish merchants to return and traffic in Ireland." This resolution is followed by the King's letters of 22 May, 1661, in which the tolerant tendencies of the Government are expressed in the clearest manner. It is worthy of note that these letters issued on the very day when the Irish Parliament passed its address of congratulation to the King on his engagement to the Infanta Catherine of Portugal. On June 13 special letters issued for restoration of the Royalist Roman Catholic citizens of Drogheda. A little later, Secretary Nicholas seemed anxious as to dangers which may follow from the adoption of a policy of toleration. He does not tell us the reasons for this anxiety ; but we can easily suggest them. The first was the probability of a general resurgence of Roman Catholic influence in Ireland; the second was the hardship which, if the Roman Catholics were restored in the towns, would be inflicted upon the "'49 men." To these men, the remnants of the Royalist army which had fought for the King until the time when his authority in Ireland finally disappeared, the forfeited lands in towns had been given[2] as a reward for their service and as payment of long-standing arrears. Should they be deprived of that just payment they would undergo great hardship. The course of subsequent history shows that they were in fact the persons who suffered most from the liberal policy of Charles II. in this matter.

It is evident that some strong representations in the interest of the Protestant party were made at Whitehall in the course of July and August, for we find that in the middle of the latter month the King in Council sent instructions to Dublin, carefully limiting the benefit of his grant. This limitation was received with satisfaction by the Earl of Orrery, and about the same time we get the report mentioned above (pp. xxvii-xxviii) as to the general conspiracy of Roman Catholics

[1] p. 825. For the following references see Index *s.v.* Roman Catholics in Ireland.

[2] Instructions, Section 9, Statutes at Large (I.), II. 250.

throughout the kingdom and the news of their assembling in large meetings in Mayo and elsewhere. Moreover, the letters constantly received from England directing the Lords Justices to restore Papists to their estates, not only prevented the revenue from deriving the benefit of increased rents, but caused general discontent amongst the Protestants in the country. The objections which were urged against these concessions were also brought forward against the King's proposal to permit Roman Catholics to practise at the Irish bar as they had done in the time of Charles I. Lord Chancellor Eustace was in favour of this proposal; and in May, 1661, letters were issued expressly licensing Roman Catholic advocates to practise. We have no details of the opposition to this concession, but in October we find that it had been in part at least withdrawn. "Letters will go hence," wrote Sir Maurice Eustace on the 19th of that month, "by this post against practising, but, I profess unto you, against my sense." The Lord Chancellor at the same time wrote two other despatches on the matter, which have not been preserved, but one may draw an inference as to their contents from Secretary Nicholas's letter to him of November 9. "I think," he said, "that the recusant lawyers should wait and should not press for the liberty to practise until the Act of Indemnity is passed." Things were in this stage at the end of 1662; and in my forthcoming volume it will be seen that the matter received further consideration.

The Established Church was well protected by the Act of Settlement, and recovered the property which it had possessed before the Insurrection. The influx of Nonconformists into Ireland in the Cromwellian period had, however, added largely to the number of Protestants who objected to the doctrines and did not acknowledge the constitution and discipline of the Establishment, and the action of these dissenters caused some anxiety to the Government. Immediately after the Restoration, Nonconformist preachers were found to be active in Dublin, and we have some

information as to the steps taken to control them.[1] General directions were inserted in the instructions given to Lord Robartes to attempt by persuasion to induce the various dissenting elements in Ireland to conform to the religion established by law, and these directions show the trend of policy at the time. Jeremy Taylor, Bishop elect of Down and Connor, received a letter in December, 1660, from which we see that the dissenters in Ulster were by no means inclined to mince matters in their denunciation of the Church, and of that eminent Bishop in particular, and in February, 1661, Lord Orrery, writing from Dublin, says that the law was being enforced against "Nonconformists and fanatics." The Church leaders were also anxious to secure a grant of the appropriate tithes, and in this matter they obtained an early promise from the Crown, which was carried out by the King's letters of 20 November, 1660. These letters were framed in generous language, and were followed by the King's promise to Bramhall, the Archbishop-elect of Armagh, that the high rents extorted from the Church in the time of Lord Strafford's government would not now be demanded. The King's desire to endow the Church involved some difficulties, inasmuch as adventurers or soldiers had, in the Cromwellian period, obtained possession of those lands, of which he now wished to grant the proceeds, in whole or in part, to the Church. In March, 1661, a survey was directed with a view to discovering how much the Church might suffer if this possession was now to hold good against the Church's claim, and Sir Maurice Eustace, like his fellow Chancellor in England, vigorously supported the claims of the Church. Her rights, like those of Protestant laymen, were, however, prejudiced by the granting of impropriations or lands held from the Church, and the Lords Justices hoped that she would be restored to her old position, which was the best way to induce men of learning and piety, "painful and orthodox divines," to take livings in Ireland. At the same time the

[1] pp. 41-8. For following references see Index *s.v.* IRELAND, *Established Church in.*

clergy were moving for remission of their twentieth parts and first fruits and in June, 1661, Bramhall, who was an ardent champion of the rights of the Church, prayed that, for the sake of the poorer clergy, this concession might be made. His request was granted in October of the same year. The Established Church was, however, still the Church of a minority, and it was, as it had been in former times, unpopular in the North. In September, 1661, when a plan was on foot for arming a local militia, the Lords Justices opposed it on the ground that there were thousands of people in the North not reduced to conformity and that their state of feeling was such that it would be imprudent to trust them with arms. In June, 1662, when instructions were issued to the Duke of Ormond, then going Lieutenant to Ireland, the Church was the subject of a carefully drafted clause in which a desire to restore her to her wealth is combined with a determination to prevent corruption and abuses. We have no other information on this subject in the documents now published, except the petition of the Deans of St. Patrick's and Christ Church, Dublin, who asked for special grants in aid of the repair of their Cathedrals and for leave to melt down some obsolete "pieces of guns called Rabnetts and brasses,"[1] still preserved in Dublin in order to replace their bells, "those at present being not musical."

From the state of creeds in Ireland at the time one may turn to a different topic of general interest—trade.[2] The economic ideas of the time are vague and conflicting, and it is not easy to extract from such references as we have, indications of definite and considered policy. Upon the one hand there was a desire to aid the development of manufactures in Ireland and increase manufacturing skill, and it is on this ground that the Lords Justices, in June, 1662, published a proclamation enforcing the Acts of the eleventh and thirteenth years of Elizabeth for preventing the export of raw

[1] p. 606 and p. 607. *Rabnett* (a little raven) is not a common word; but is used for a gun, as *falconet*.

[2] For references to this topic see Index, p. 784, *s.v.* IRELAND, *Trade of*.

hides. The instructions given to Lord Robartes directed him to keep this object in view, and for that purpose to encourage "Protestant strangers" to come and settle in Ireland. If any large number of these could be induced to come to Ireland the King would be ready to grant them the privileges accorded to alien immigrants in London, Canterbury and Norwich. We know, of course, that there were Dutchmen in Dublin at the time, and the occurrence of such names in high places as Verveer, Vangelder, and Wybrantz prove that some of them had prospered. In consequence of the large powers vested in him for colonising the Munster corporate towns with foreigners and for nominating for one turn the members of the Corporations, Lord Orrery brought over forty Dutch families to Limerick in 1661, and they were evidently successful from the first. "It did my heart good," he wrote, in September of that year, "to see them so busy in their manufactures and plantations." At the same time the licence given to Irish merchants to return and trade in Ireland was justified by the fact that they would improve the trade of Ireland, whereas, if they were compelled to remain abroad, they would engage in trade there; and this would be for the enrichment of foreign princes rather than of the King of England. Ireland had many things to export, and when in 1662 the Duke of Ormond chartered a ship to bring over from Rouen a cargo of wine for his household, she returned to France with a cargo of hides, tallow, butter and beef. Horses were also exported, and the duty on these was reduced by the Lords Justices and Council in July, 1661. Major Rawdon, who was Lord Conway's agent at Lisburn, sent his principal cargoes of potash, and in the year 1661 a monopoly for making starch in Ireland was given to a corporation, the members of which were to be nominated by Lord Dungan.

Upon the other hand there was a desire to keep down any manufacture in Ireland which might lead to serious competition with England, and this desire manifested itself in the regulations made regarding the export of wool, the most

important of all Irish products. It was found that the Irish cloth merchants, who were compelled by the Acts of Elizabeth to make up their wool in Ireland, were underselling the English clothiers owing to the greater cheapness of the raw material in Ireland.[1] This competition gave offence to English merchants, and suggestions were made to the Crown that steps should be taken to stop it. Lord Robartes' instructions of 1660 include a direction to take care that Irish wool was not exported abroad, but should only be sent to England, the object being to keep the raw material of Ireland for the use of the English manufacturers.[2] This policy was maintained throughout the period under review, though not without difficulty. Irish wool commanded a very high price in the Continental markets, so high, indeed, that, in order to earn it, Irish merchants were willing to forfeit the bonds which they gave to the customs officers as a guarantee against export of wool. The profit on wool was estimated to amount in 1660 to £65,000 a year, which was equal to more than one-third of the public revenue, and in the end of that year two undertakers, William Fitzgerald, of Castledod, co. Cork, and Thomas Sheridan, of Cork, proposed to get powers to form a company for buying all the Irish wool after the annual clip and sending it to England. A memorandum on the subject sets out some financial details and shows that a very handsome profit might be made by a company which should be ready to put £100,000 into the business. About the same time we have a memorial from an Italian merchant, Giovanni Battiste Benzie, who wanted, by the help of Prince Rupert, to secure the right to settle a number of foreigners in "the province of Limerick" and to inaugurate a trade in the rich products of the southern Irish counties between Ireland, Spain,

[1] The ordinary difference in price was 4*s*. the ton in 1662. See the draft on p. 691; but this is only a draft, and I have not, as yet, come across any official letter corresponding to it.

[2] It is not within the province of an Editor to express any opinion as to the justice or prudence of these measures.

Italy and Holland. The export of wool remains unlawful throughout this period, and we have more than one case where a licence to export single cargoes of it was given to certain individuals by way of requiting some favour or paying some debt. Towards the end of the volume we find evidence of a tendency to relax the stringency of the penalties which were imposed upon export. In June, 1662, the Lords Justices were directed to compound with the various merchants who owed money on bonds given for a security against their exporting wool. These compositions might at first be made at five shillings or more in the pound, but that restriction was afterwards removed. A contrary tendency is shown in the King's letters of September, 1662, authorising certain persons to form a public office for registering these bonds and enforcing them, but again in November instructions were given to the Lord Lieutenant for proceeding with the composition on the basis of five shillings in the pound.

In connection with taxation I should mention the attempt made to raise the standard of the coinage[1] in Ireland, and to get rid of base coin. From the letters of Major Rawdon, published in the last volume of the Calendar, we know something of the difficulties under which Ireland had laboured owing to the circulation of "Spanish ryalls" in the last years of the Cromwellian Government. Though these particular coins are not mentioned in the present Calendar, there is evidence that a base coin was in circulation with its attendant evils. In November, 1660, the Lords Justices were directed to consider means for raising "outlandish coin" current in Ireland to a higher value, "and to depress that part thereof which is of the baser sort to a less value," a task which would have troubled abler men than Mountrath and Eustace. These officers, however, boldly faced it, and in January, 1661, issued a proclamation naming the value in English money at which

[1] For details see the documents indexed under IRELAND, *General References*, coinage and currency in.

the various Spanish, French and Portuguese coins should pass, if of full weight, in payments to and by the Crown. An attempt was made to give them a value in proportion to the amount of pure metal in them, but there is no information as to what may have been allowed for alloy. The allowance of a rebate for light coins was presumably due to the fact that many of the current coins were worn. We hear nothing of the results of this proclamation, but in June, 1661, the Council in England were considering the establishment of a mint in Ireland. At this period the merchants of Ireland suffered great hardships owing to the licences given to private persons to issue brass pence in their own names and without any stamp. We have no evidence as to how this state of affairs came about, and it is certainly a fact that in November, 1660, a warrant issued for granting Sir Thomas Armstrong the sole right of making farthings in Ireland. In addition to this, token money was issued by private persons who afterwards avoided taking it back, and sent the good silver which they bought with it out of the country. It may perhaps be assumed that the circulation of coins of a number of different countries in Ireland rendered forgery easy and its detection difficult. Prominent Dublin merchants and London goldsmiths who did the Anglo-Irish banking business suffered great inconvenience from the existence of these tokens and coins, which, of course, drove the better coinage out of circulation; and in August, 1661, some of them presented proposals for getting rid of them, and coining silver in Ireland. In that month the making of tokens was prohibited by a proclamation which describes, though not in very scientific language, the evils which attended upon their currency. The merchants' proposal was referred to the English Privy Council, and was considered by their Committee for Irish affairs, and in January, 1662, on their recommendation, the full Council directed instructions to be prepared for the Irish Government for establishing a mint in Ireland upon lines proposed in the time of Lord Strafford's deputyship. In March, however, the proposals of Sir Thomas Viner, Robert Viner, of London, and Alderman

Daniel Bellingham, of Dublin, for starting a mint in Ireland, were accepted. As these had been before the Government for some time, they were probably considered side by side with the proposal for a mint controlled by the State. The grant to the Viners and Bellingham was, we are told, made on the recommendation of the Lords Justices, and did not give permission to make any coin of higher value than fourpence. Express directions were given as to the coinage and superscription on the obverse and reverse, and as to the denomination of the coins to be made. The concessionaires were to be the Officers of the Mint, and to have the sole right of working and of making silver coins in Ireland. They were to use silver of the same purity as that in use at the Royal Mint in England, must issue the coins in certain numbers, and were to have powers of police for preventing illicit coinage. They were also to submit their coins to an annual trial by the officers of the English Mint.

This important grant is dated in the Signet Book 7 March, 1662, but on 14 May we find fresh instructions to the Lord Lieutenant to establish a State Mint in Ireland, with full directions as to how it was to be administered. The staff of the mint and the means for obtaining print on the coins and the designs of the coins and other matters were dealt with, and in all ways the mint was to be managed strictly according to English precedents. There were thus two schemes in the field at the same moment for setting up an Irish mint, and the merchants who had propounded the first scheme, we may well suppose, objected to the promotion of a second. We have no record of this objection, but on 29 June the King in Council referred Viner and the officers of the English mint—as if they were two disputants—to a special commission for discussion of Viner's proposal. This commission heard the proposals of the goldsmith and his partners. The officers of the mint sent in two very strong reports condemning the Viner scheme and showing in effect that it would seriously affect the English currency. The English standard was a compound one—of

weight and of fineness; and if either weight or fineness were diminished the currency would be debased. Viner's proposals, they said, allowed him to make and issue silver coins with a much lower proportion of pure silver than that which was enforced by the arrangements governing the Royal mint in England. If such a difference were allowed, it would clearly be to the interest of the concessionaires to melt down English silver coins, and recoin the silver in Ireland at a profit, whilst the Irish coins could not be received and recoined in London without a corresponding loss. The end of the matter was that Sir Thomas Viner agreed to have his patent cancelled, and the Privy Council, in November, 1662, ordered this to be done. The proposal for establishing a State mint in Dublin thus prevailed over that for a private venture.

These are the most interesting matters on which information is given in the following pages. Looking through them in search of curious or peculiar expressions, or incidental matters of interest, I notice a good nickname, "Magna Charta," for a learned lawyer (p. 74); and that the word "forwarn" is used (p. 83) in the sense of warning a person not to do a thing, the prefix having a privative sense as in "forgo" and "forbid." The petition of John Bowmer (p. 121) enables me to say that the death of the third Viscount Grandison (no date for which is given in the "Complete Peerage"), must have taken place before 7 December, 1660. Some details as to house building are given by Major George Rawdon (p. 137), and we may notice that a thoughtful agent planned to have the bedroom of the lady of the house in some part remote from that in which the housemaids slept, "to prevent any disturbance to her." At the end of 1660, Sir William Davenant, who had been licensed to erect two theatres in London, "for the harmless recreation and divertisement of such of our own subjects or foreigners" as chose to resort to them, was permitted to erect one in Dublin, and was made Master of the Revels in Ireland for life. The memorandum entitled "What is to be looked into in the

North of Ireland" (pp. 164-7), seems to date from before the Restoration[1] and contains some interesting considerations on the relations between Scotland and Ulster. The author regrets the great increase of Scotchmen and Scotch feeling in the north. "Both town and country in a manner swarm with the Scotch. . . . . It were convenient for this part of Ireland that all the Scotch who now wear bonnets did wear hats." This would not only bring a fresh trade to Ireland, but would have another advantage, for "it would not be so visible to themselves (the Scotch) in a short time that they were so numerous, nor so great a discouragement to the English, who in all fairs and markets see a hundred bonnets worn for one hat, which is a great prejudice and doth wholly dishearten the English there." A letter of Baron Hugo Hamilton, afterward Lord Glenawly, relates briefly (p. 188) the service and success of an Irish officer in the Swedish army. On p. 203, we notice that the King ordered a warrant to be prepared for translating Henry Lesley to the sees of Meath and Clonmacnoise, but Cotton's *Fasti* gives no record of the translation.

On p. 221 we find the striking epithet applied to the Scottish hero "that never-to-be-forgotten the renowned and Royal Montrose"; and on p. 227, we are told of Thomas Fitzgerald, of Glin, that he was too fat to take an active part in politics or civil wars, "but, being an unwealdy man, lived quietly upon his estate without intermeddling with the affairs of those times, otherwise than when and where the concernments of his estate or fortunes did enforce him in a passive manner thereunto." I am not able to identify with certainty the "Gordon" who (p. 242) signed a certificate of certain inhabitants of Antrim. He was apparently a peer, and is therefore indexed as Charles Gordon, Lord Strathaven.

On pp. 283-4 is a vivid account, apparently written by some uneducated person, of a secret trial between two race-horses belonging to Lord Conway. On p. 299, it is mentioned in

[1] It is endd. with the words "A little before 1660."

favour of Captain Andrew Tuite, of Moneylea, co. Westmeath, that "he entertained the Lord Lieutenant and his attendance very frankly for several days" at his house when the Lord Lieutenant marched into that county in 1646. The Lord Chancellor's speech (pp. 328-9) at the opening of Parliament in May, 1661, and that of Sir Audley Mervin on another occasion (pp. 463-4) may be noticed as a specimen of the eloquence of the day; and on p. 345 we find Primate Bramhall using the word "experimentally" for "by experience." In June, 1662, the Lords Justices seized a Portuguese ship which came into some Irish port—not named—with a French prize and the petition of the captain to the Lords Justices showed that the prize had French officers on board. Lord Chancellor Eustace's report on the petition of Mary Talbot (p. 372) shows a pretty three-cornered fight in progress between Lord Mountrath, Colonel Edward Vernon and Mary King for the manor of Clontarf, which, as we know, was finally granted to Vernon. A proclamation of September, 1661 (p. 419), shows that "moonlighting"—if one may use a common phrase—was visited with severe measures of repression. Anne Stevens in 1661 prefaced a petition (p. 452) to the King by an eloquent encomium on his virtues, and said that whilst she frequently prayed four times a day for His Majesty, she only wanted a small quit rent in Limerick worth £32 a year; whilst Bishops with £1,000 to £2,000 a year did not, she believed, pray for him so often. The dispute between Colonel Alexander Macnachton and Lord Massereene gives some information about affairs in Antrim in 1642. It may be noticed that the feud between the Campbells and the Macdonnells was perpetuated in Ireland, and that there was a peculiar dialect spoken in Antrim and known as "the Highland Irish" (p. 457).

The memorandum (pp. 563-4) on the manner of the Duke of Ormond's reception in Dublin in 1662 is interesting in that it gives the names of many of the streets and quays of old Dublin, and in July of that year (p. 576) there is a fresh grant apparently conflicting with that of Sir William Davenant

of the Mastership of the Revels in Ireland and of the profits arising from the performances of plays or operas anywhere in Ireland. An order by Edward Greene in August (pp. 584-5) for woollen goods to be sent to Dublin gives some details of the haberdasher's trade at the time, and on p. 638 we find the word "amuse" in an unusual sense. On p. 644 there is some information as to the postal arrangements between England and Scotland,[1] and on pp. 650-660 there is a long list of the Cromwellian soldiers who had got holdings on the estates of the Marquis of Antrim and other Macdonnells in Antrim and at Coleraine. On p. 620 a proclamation is calendared which contains regulations for preserving game near Dublin, and especially on the Curragh, which was, we may suppose, a favourite place for hawking. These notices of hawking and horse racing are almost the only references to sport in the volume.

The history of these two years is little other than might have been expected by those who have studied the preceding period. The Irish settlement seemed from the first destined to be even more difficult than that in England; and in spite of the resolute efforts made by the Lords Justices and by the Duke of Ormond to meet and solve difficulties, we cannot say that they had any substantial success. The peace which existed was a peace of exhaustion, but the elements of discord were still present and could not be combined to form the sound basis of a peaceful state or healthy body politic. Few men of the time were of great ability. Ormond stands out pre-eminent, not only in dignity, unselfishness and loyalty, but also in prudence, ability and firm and conscientious justness. His despatches assume something of the cynicism of an old man who does not believe very strongly in the value of human effort; but so far as he could do it, he held strongly for the right and forms a noble exception to the narrow, incompetent and idle politicians of the day. Of Orrery and Mountrath we know little; but Orrery was undoubtedly a man of progressive

[1] See also pp. 682-4.

views and with a definite policy of the commercial development of Ireland before him. He seems to have measured Ireland by English standards and to have thought that, if only she could become rich, she could also become contented and even happy. Sir William Domvile was undoubtedly a man of much ability, with a clear understanding of the land question, and a courageous spirit for facing political difficulties. In the documents in my next volume we shall see something more of him; but in the present one he appears only as a minor figure. The rest of the Irish statesmen of the time do not deserve notice.

My thanks are due to Mr. Grattan Flood, Mr. Crump and many other gentlemen of the Public Record Office, Mr. Charles Dalton, and Mr. Elrington Ball, for help kindly given me in preparing this volume.

R. P. MAHAFFY.

Chancery Lane,
July, 1905.

ADDENDA AND CORRIGENDA.

Page 21, second entry, line 5, *for* "Captain Roper" *read* "Colonel Roper."

Same, third entry, line 1, *for* "Sir George Law" *read* "Sir George Lane."

Page 32, line 4, *for* "necessary" *read* "necessaries."

,, 50, line 8, *for* "Countess" *read* "Marchioness."

,, 74, third entry, *for* "Earl of Kerry" *read* "Lord Kerry."

,, 82, line 3, *after* "Killownie" *insert* "[Collooney ?]."

,, 116, line 2, *for* "Papist" *read* "Papists."

,, 149, line 7, *for* "Bishop-elect" *read* "Archbishop-elect."

,, 162, 11 lines from bottom, *for* "John Fitzjones" *read* "James Fitzjones."

,, 192, line 2, *for* "Directing" *read* "We direct."

,, 204, line 10, *after* "Ferns" *add* "And Leighlin."

,, 209, line 6, *for* "hawking a recreation" *read* "a hawking recreation." (The document is probably of a later date than 1661.)

,, 219, two lines from end, *for* "Rothgormocke" *read* "Rathgormocke."

,, 222, fourth entry, line 5, *after* "Lasteele" *insert* "[Casteele]."

,, 238, 3 lines from end, *after* "Clonderath" *insert* [Cloondara].

,, 256, second entry, line 3, *for* "land" *read* "lands."

Same, 2 lines from end, *for* "Nene" *read* "Neve."

Page 263, line 8, *for* "Sundores" *read* "Lindores" and *dele* note.

Same, line 14, *for* "[? O'Gilvy]" *read* "[Ogilvy ?]."

Page 269, last entry, line 6, *for* "Commission" *read* "Convention."

,, 288, last entry, heading, *read* "Colonel Richard Ingoldsby."

,, 291, in margin, *dele* "Whitehall."

,, 317, line 3, *for* "Kull" *read* "Kirle."

,, 332, third entry, line 7, *for* "House" *read* "Houses."

,, 436, 12 lines from end, *dele* full stop after £2,350.

Page 442, line 10 (on left), *for* "Sir Thomas Piggott" *read* "Thomas Piggott."

,, 445, 6 lines from end, *for* "Lord Deputy to Council" *read* "Lord Deputy and Council."

,, 469, last entry, *Endd. Add.*: "Sold by Samuel Dancer in Castle Street, Dublin."

,, 476, line 1, *after* "Williams" *add* "[Williamson]."

,, 496, second entry, line 1, *for* "store" *read* "stone."

,, 512, first entry is duplicate of third entry on p. 505.

,, 515, fourth entry, line 1, *for* "Same" *read* "The King to the Lords Justices."

,, 520, date in margin of first entry should be "14 March."

,, 523, second entry, line 3, *for* "Viscountcy" *read* "Viscounty."

,, 531, second entry, heading, *for* "Sir Francis Angier" *read* "Lord Angier."

,, 555, last entry, heading, *for* "Marquis" *read* "Duke."

,, 637, 23 lines from end, *for* "formed" *read* "farmed."

,, 638, line 6, *for* "borrowed from" *read* "borrowed for."

,, 647, second entry, line 16, *for* "new provisors" *read* "now possessors."

,, 665, the second entry is similar to the second entry on p. 602.

STATE PAPERS, IRELAND.

CHARLES II.

1660.

1660.

9 June. COPY of PETITION of WM. MOLLOY to the MARQUIS of ORMOND showing that:—

The Marquis in the first year of the King's reign [1649] gave Cosny Molloy, deceased, the post of Clerk of the Common Pleas in the Court of Exchequer in Ireland. The post is now vacant. Petitioner asks that he may have a grant of it. *P.* ½. *Endd.*:—"Recd. 9 June, 1660." *S.P. Ireland* 303, 41.

10 June. At Court at Whitehall. The KING to the "CHIEF GOVERNOR or GOVERNORS" of IRELAND for WM. MOLLOY.

Grants the foregoing petition. The office to be held in the usual manner. *P.* ½. *S.P. Dom. Signet Office IV.* 115.

NOTES by SIR EDWARD NICHOLAS of [things done at the PRIVY COUNCIL].

20 June. Sir Edmund Pierce and Mr. Povey to be sworn Masters of Requests.

The alteration of the Sheriff of Cardigan upon Judge Jenkins' recommendation [?].

A Committee to be appointed to consider the present affairs of Ireland and to confer with Committees now con[stituted] for Ireland.

That ——— said that he refused to write a warrant for cutting off the King's head, but Cromwell wrote it himself, and Col. Harker, who being ——— is sent for.

Complaint against Parnell for committing of persons in Wales.

1660.

Sir H. de V. —— to send Mr. Scott, being one of the murderers of the late King, in safe custody to Dunkirk and to desire the *Mary* of Cuxavene [Cuxhaven ?] to cause him assistance.

22 June. Sworn: Sir Edward Pierce and Mr. Povey as Masters of Requests.

Sir Richard Browne sworn Clerk of the Council. The King commands me to speak to Mr. Trussell c[oncernin]g the suit against Mr. George Kill[igrew?] and to forbear it.

Sheriff of Cardigan.[1] Priory[?], being three years' sheriff, to be discharged, and Mr. Richard Jenkins to be Sheriff in his place.

The Committee of Ireland ———— proposed to have [?] a Parliament called to consist of his Majesty's Protestant subjects only. We were [?] divided as to whether a Parliament could be called consisting only of Protestants.

Sir Jem. B———— [Sir James Barry?] said it was to be done by law.

Ordered:—They shall call a Parliament in due time and such a one as the law doth permit, but it was not [?] thought fit to call a Parliament in Ireland till the choice of [?] a Governor and Council is settled. *P.* ¾, *very badly written. Endd.*:—"C.B." [Council Board?]. *S.P. Ireland* 303, 42.[2]

[Before 22 June.] Copy of Petition of John Burniston to the King, showing that:—

Petitioner was of the bedchamber to the Duke of Gloucester in 1646, and afterwards attended on the Princess Elizabeth till her death at Carisbrooke Castle. He was then ejected by Antony Mildemay, "her Highness' uncivil guardian." He has a wife and nine small children.

He prays for the post of Marshal of the Four Courts and Clerk of the decrees in the Court of Chancery in Ireland. *P.* ½. *Endd. Ibid.* 43.

Copy of Similar Petition by Same.

Recites the facts as above and asks for the place of Clerk of the Pells in the Irish Exchequer. *P.* ⅔. *Ibid.* 44.

[22 June.] Petition of Same to the King, showing that:—

Petitioner understands that the King has disposed of the post of Clerk of the Pells in Ireland for which he recently petitioned.

As he served the Princess Elizabeth of blessed memory and the Duke of Gloucester as gentleman usher, he prays for the place of register of the Prerogative Court in Ireland and register for the probate of wills and granting of administrations in the diocese of Dublin. *P.* ½, *underwritten with*—

(1) Thomas Lloyd was Sheriff of Cardiganshire in 1660.

(2) In this and later documents Sir Edward Nicholas writes with many contractions —practically in shorthand.

1660.

Order [1], dated 20 June, 1661, referring the petition to the Bishop of Derry and Sir Maurice Eustace, *and also with*—

Report of Sir Maurice Eustace and the Bishop of Derry on the foregoing Petition.

Petitioner is a fit person but we cannot find that the post mentioned is in your Majesty's gift. It belongs to the Primate of Ireland. The petitioner should be thought of in some other way. *P.* ½. Dated 22 June. *Signed. In all, p.* 1. *Endd. S.P. Ireland* 303, 45.

Before 25 June. Note concerning Sir Charles Coote.

The President's place in Connaught to be secured to Sir Charles Coote.

The Provost-Marshal's place of Connaught held by him by letters patents, and which his father during his life likewise held, may, upon surrender of that patent, be granted to Sir Charles Coote, his son.

Sir Charles' father always held the high collector's place of Connaught and County of Clare for the taking up of the King's Exchequer rents and composition rents. Sir Charles and Col. Richard Coote have this from the late King. It may be confirmed to them. *P.* 1. *Endd. with date. Ibid.* 46.

[26 June.] Petition of Dudley Cooley [Colley] to the King, showing that:—

Petitioner for his loyalty to the Marquis of Ormond and for having raised a company to serve in Ireland at his own charge was, when the enemy prevailed, questioned for his life in a pretended High Court of Justice.

He escaped with his life, but even after his acquittal his estate was seized by those in power and he was forced to pay £500 composition to get it out of their hands. He is now tenant of a small piece of land called Ardkill and Collinstown in the co. Kildare, leased by his father, Sir Henry Cooley, in consideration of £300, to Sir Thomas Carew, Kt., for 61 years. This interest, by mean assignment coming to Roger Moore, who is attainted of high treason, is forfeited to your Majesty, and petitioner now holds it of the King at a yearly rent.

As the inheritance is in petitioner by descent from his father, and as there are only 25 years to come of the said lease, petitioner asks for a grant of the lands for the remainder of the years. *P.* ⅔, *underwritten with*—

Order, dated 26 June, Whitehall, referring the petition to the Marquis of Ormond. *Signed by* Nicholas, *and followed by*—

[1] It is not thought necessary to repeat the conditions of these orders, which are generally dated at the Court at Whitehall and signed by Sir Edward Nicholas.

1660.

REPORT of the MARQUIS OF ORMOND on the foregoing PETITION.

Certifies the facts stated in the petition and recommends that it be granted. *P.* 1. *Signed. In all, pp.* 2, *with a second copy of Cooley's petition* (*p.* 1) *attached. S.P. Ireland* 303, 47 *and* 47*a.*

PETITION to the KING of JOHN and MAURICE EUSTACE, Students at Lincoln's Inn.

By letters patent dated 18 Dec., 1645, King Charles I. granted to Capt. Thomas Eustace and Alexander Eustace, for their lives, the offices of Clerkship of the Crown and Peace in the Counties of Dublin, Kildare, Carlow, King's and Queen's Counties, Westmeath, Longford, Wicklow, Louth and the county of the town of Drogheda and the office of Clerk of the Crown and Peace in Co. Kilkenny—with right of survivorship to the longer liver of them.

These posts, however, they only held in trust for the benefit of Sir Maurice Eustace, Kt., petitioners' uncle: and Capt. Eustace is now dead.

They pray that the King will accept a surrender of these patents, and will grant them a fresh patent for their lives, with survivorship. *P.* ¾, *underwritten with—*

Order, dated 26 June, referring the petition to the Marquis of Ormond, *and endd. with—*

27 June. REPORT of the MARQUIS OF ORMOND on the foregoing PETITION.

The facts stated are true. The petitioners are hopeful students at Lincoln's Inn. Recommends that the petition be granted. *P.* ½. *Signed. In all, pp.* 1¼. *Endd. Ibid.* 48.

Same. PETITION of RICHARD ST. GEORGE, gentleman, to the KING, showing that:—

He is youngest son of Sir Henry St. George, late Garter principal King-at-Arms. Petitioner has been loyal, and asks for the post of Ulster King-at-Arms in Ireland. *Two copies. P.* ½ *and p.* ½, *one underwritten with—*

Order, dated Whitehall, 27 June, referring the petition to the Marquis of Ormond, *and endd. with—*

REPORT by the MARQUIS OF ORMOND on the foregoing PETITION.

Sir Edward Waller, Garter, and George Owen, York herald, think petitioner fit for the post. He is a student of heraldry. *P.* ½. *Signed. The whole, p.* 1 *and p.* ½. *Endd. Ibid.* 49 *and* 50.

1660.

June. Copy of Petition of Henry Warren to the King, showing that:—

Petitioner served Charles I. and the now King as Treasurer's Remembrancer, and Second Remembrancer of the Court of Exchequer in Ireland, and knows about the practice in the Court.

He prays that he may be allowed to surrender the office and to have a fresh grant of it to himself and his son. *P.* ½, *underwritten with*—

Order, dated June, 1660, referring the petition to the Marquis of Ormond. *Endd. S.P. Ireland* 303, 51.

Same. Copy of Petition of Stephen Burston to the King, showing that:—

Petitioner is established one of the clerks in the office of the Clerk of the Council in Ireland by the Commissioners for managing Ireland at £80 a year, until the Clerk of the Council shall be settled on fees.

When the Clerk of the Council shall have been so settled the position of the petitioner as under-clerk will be very dubious: and the Commissioners for managing Ireland, being aware of this fact, gave the petitioner money to come over here and ask the King for some post in the Four Courts in Dublin. Petitioner has a large family and numerous poor relations.

As most of the posts in the Four Courts—including that of Clerk of the Common Pleas in the Court of Exchequer—have been given away, he prays for a grant of the office of "Transcriptor and foreign opposer in the Court of Exchequer" and usher of the [same Court?] in Ireland in reversion on the present patentee, Thomas Leatoge[?].

He prays that until the reversion falls in he may have his £80 a year. *P.* ½. *Followed by*—

Copy of licence by the Commissioners for Ireland as mentioned in foregoing. *Signed (not hol.) by* Sir Charles Coote *and* Sir Wm. Bury, and dated 30 June, 1660. *P.* ½. *In all, pp.* 1½. *Ibid.* 52.

Same. Docquet of grant of the Office of Serjeant-at-Arms in Ordinary in Ireland to Philip Carpenter for his life and to Joshua his son. *S.P. Dom. Docquets, Vol.* 19, *p.* 1.

Same. Same of Office of Muster Master-General of the King's Armies and Garrisons in Ireland, during his good behaviour, to Lieut.-Col. Abraham Yarner. *Ibid. p.* 3.

Same. Same. Attorney-Generalship of Ireland to Wm. Domvill, during good behaviour. *Ibid. p.* 5.

Same. Same. Office of *Custos brevium* and Chirographer in the Court of Common Pleas in Ireland to Robert Ware, &c., during his life. *Ibid. p.* 5.

1660.

PETITION to the KING of OLIVER KEATING, showing that:—

The offices of Clerk of the Crown and Peace for Connaught were held by Nicholas Browne, of Dublin, Esq., deceased, by whose death they are become void and are at the King's disposal.

He prays for a grant of the said office. He understands the work that is necessary for it. *P.* ⅔, *underwritten with*—

Order, dated 2 July, referring the petition to the Marquis of Ormond. *Endd. with*—

2 July. REPORT by the MARQUIS OF ORMOND on the above PETITION.

He has considered it, knows the facts to be true, and that Keating and his friends are loyal to the King's interest. He recommends that it be granted by ordering the Attorney-General to prepare a grant of the office for the Royal signature. *P.* ¾. *In all, pp.* 1¾. *Endd. S.P. Ireland* 303, 53.

[About same.] OLIVER KEATING to CHARLES WHITTAKER.

I desire you to add the following words to my order, *viz.*: "in as large and ample a manner as Nicholas Browne or any other Clerk or Clerks of the Crown and peace enjoyed the same." *P.* ⅓. *Ibid.* 54.

[3 July.] COPY of PETITION to the KING of the AGENTS employed by the MAYOR, SHERIFFS, COMMONS and CITIZENS of the CITY of DUBLIN in IRELAND, in pursuance of their former address to HIS MAJESTY.

They ask first that the charters by which their lands, privileges, and revenues were granted to them by the King's predecessors may be renewed to them: and that the Governor or Governors of Ireland be directed to transmit for the Royal approval a Bill to ratify and confirm the same, which is to be passed in the next Parliament. They ask that this Bill may regulate the charters, and the charters of the particular corporations, that it may enlarge the franchises of the city to three miles round about by land and that the franchise of the city by sea may have its present extent.

They ask next that one of the sheriffs of the said city be sheriff of the county at large and that every alderman that hath served the office of Mayoralty of the said city may be a Justice of the Peace therein during his life, and that the ferry over the river "Anerlife" [Liffey] may likewise be confirmed by the said Act unto them and their successors. They have formerly had granted to them this river and the lands on each side of it and now enjoy them.

1660.

They ask further for a grant of all goods and chattels of felons of themselves, *deodands* and all debts that shall be forfeited by any that shall kill themselves or be outlawed for felony or treason inhabiting in Dublin at the time of their crimes—as corporations usually have this right; also for confirmation of a watercourse now enjoyed by them; and for the privilege of cutting sods for repairing of the said watercourse [and] of any land it runs through, this being for the public good.

They also ask that in consideration of their loyalty and services in the late rebellion, and as their public buildings and walls are in decay, they may have a fee farm rent of £60 per annum payable to his Majesty.

They further ask that the King will give order to the Chief Governor or Governors of Ireland to estimate what sums the city has given towards the public service in Ireland, that his Majesty may be informed thereof. *P.* 1. *Endd.:* Recd. 3 July. *S.P. Ireland* 303, 55.

6 July. Sir Maurice Eustace to Sir Edward Nicholas, Secretary of State.

I send you these lines as I hear that the King intends to appoint me to a post of great trust. "*Heu equidem dignus sum tali honore.*"

I served the King's father while I was young and strong, but am now grown too old to perform any public service. I desire no such post nor any favour except to remain in His Majesty's good opinion. I hope I shall not now be put beyond my strength with any public employment. *P.* ¾. (*Hol.*). *Add. Endd. in* Nicholas' *hand. Ibid.* 56.

General date 8 July. Documents relating to the Case of Thomas Worsop *or* Worsopp.

Copies of Petition to the King of Thomas Worsopp, Esq., showing that:—

He served the late King faithfully, raised a company of foot under Col. John Coventry at his own charge in the West of England, and afterwards served in Col. Richard Nevill's regiment. Having lost much in service, he retired to Ireland and secured the place of Customer of the port of Dublin by authority of Lord Broghill, Sir Charles Coote and Sir Wm. Bury, Commissioners appointed for the government of the affairs of Ireland by the late Council sitting at Whitehall. This he gained immediately before the King's happy return to England, and he still holds it. He prays for letters patents granting him the office for his life. *P.* ½ *and p.* ½. *Two copies, the first endd.* (*in* Nicholas' *hand*): To be referred to Lord Ormond. *Followed by—*

1660.

Copy of order by Broghill, Coote and Bury, as referred to in foregoing.

Appointing Thomas Worsop to the post of Customer, collector and receiver of the port of "Dublin, Skerries, Malahide and Wicklow, and the bays and creeks of the port of Dublin." *P.* 1. Dated 19 April, 1660, Dublin. *Endd. In all, pp.* 1½.

The second copy of the petition is underwritten with—

Order, dated 6 July, Whitehall, referring the above petition to the Marquis of Ormond, *and endd. with—*

Report by the Marquis of Ormond.

Corroborates the facts and recommends that petitioner be continued in his post. *P.* ½. *Signed.* Dated 8 July. Also order of Broghill, Coote and Bury as above. *The whole, pp.* 1½ *and pp.* 2½. *S.P. Ireland* 303, 57 *and* 58.

This concludes the papers relating to this case.

Petition to the King of Maurice Keating, showing that:—

Edward Keating, petitioner's father, exercised the office of Controller of the Pipe in the Court of Exchequer in Ireland for above 40 years. He suffered much in serving the late King and is lately dead, so that the office is void.

He prays for a grant of the said office for life. He was bred up in it by his father and has been at the charges of keeping the records of the said office since his father's death. *P.* ½, *underwritten with—*

Order, dated 2 July, Whitehall, referring this petition to the Marquis of Ormond. P. ½. *Followed by—*

10 July. Report by the Marquis of Ormond on the foregoing Petition.

Speaks favourably of Keating and his friends and suggests the granting of the petition. *P.* ½. *Signed. In all, pp.* 1½. *Endd. Ibid.* 59.

About 11 July. Francis Rogers to Secretary Nicholas.

Begs for his support against the calumnies of his enemies. *P.* ½. (*Hol.*). *Endd. Ibid.* 60.

Copies of Petitions to the King of Richard, Earl of Cork.

(1) Shewing that the late King by letters directed to the Earl of Strafford, dated 24 Jan., 1640, directed that the new College House in Youghal and the land of Ballymalcaske [Ballymacask] should be made over to petitioner's father and to the persons trusted for the jointure of Lady Elizabeth Clifford, petitioner's wife. The letters show the consideration given for these grants. Yet owing to troublous times the King's intentions were not carried out.

1660.

Petitioner prays for letters to the Chief Governors of Ireland directing that the late King's intentions to his father be made good to him. *P.* 1.

(2) Shewing that the petitioner's father purchased a lease of a house in Dublin of Lord Caulfield for £500. It was the house belonging to the Treasurer of St. Patrick's, Dublin.

Petitioner compounded with the late Treasurer of St. Patrick's for the renewal of this lease and paid part of the fine; but owing to the late unhappy troubles this lease was never renewed. *P.* ½, *underwritten with*—

(*a*) Order, dated 11 July, referring this petition to the Bishop of "London Derry," for his opinion as to what may most fairly be done. *Signed*, Edward Nicholas.

12 July. (*b*) Report of the Bishop of Derry on the foregoing PETITION.

The house in question, which I know, was built by petitioner's father and those from whom he acquired the right therein. He held the house by lease from the Treasurer of St. Patrick's, Dublin, and he and his father were actually possessed of the said house as lessees at the time of the commencement of the Irish rebellion. I believe the petitioner did compound with Godfry Rodes, Dean of Derry and Treasurer of St. Patrick's, Dublin, for renewal of the lease. The property of the church certainly could not be alienated by any law which then was, or now is, in force in the kingdom of Ireland: nor could those who held the house by right derived from the church be deprived thereof except by an act of extreme injustice. As the present possession is merely one of usurpation I think your Majesty may require your chief governor in Ireland to restore the petitioner, either leaving him or recommending him to the Treasurer of St. Patrick's for a renewal of his lease. *P.* ½. (*Hol.*). *Signed. In all, p.* 1. *S.P. Ireland* 303, 61 *and* 62.

11 July. Whitehall. ORDER of the KING in COUNCIL.

Present:—The King's Majesty, the Duke of York, Lord Chancellor, Lord Steward, Lord Great Chamberlain, Lord Chamberlain, General Monke and eighteen others.

As powder and shot are scarce in Ireland, Secretary Nicholas shall prepare a warrant to the Master of the Ordnance to send 500 barrels of powder, 20 ton of match and 20 ton of small shot to Ireland to such persons as General Monke shall appoint to receive them. *P.* 1. *Signed*, G. Lane. *Ibid.* 63.

Before 12 July. DOCQUET of grant to John Bysse or Bisse, Esq., of the office of Chief Baron of the Exchequer in Ireland during the King's pleasure. *P.* ⅛. *S.P. Dom. Docquets, Vol.* 19, *p.* 12.

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12 July. DRAFT of the KING to CHIEF BARON BYSSE for the MARQUIS OF ORMOND.

The lands of Knocktofer, Killcollum [Kilcollan?] and divers other lands, &c., whereof the Marquis of Ormond was seized in right of his wife, the Lady Elizabeth, were seized upon by order from the late usurper Oliver for the Marquis' faithfulness to King Charles I., and the Lady Elizabeth was forced to compound for a lease of the said lands, &c., at the fee of £1,350. This lease was made and taken in the names of Sir John Temple and others, but in trust for the said lady. Some rent was exacted from her for it, and some is in arrear. You shall remit these arrears, and Sir John Temple, the Marquis, the Lady Elizabeth and the other persons named in the lease shall stand acquitted from all the said arrears of rent. You shall give all the orders necessary to effect this purpose. *Pp.* 1½. *S.P. Ireland* 303, 64.

Also draft of a similar letter add. to same with alterations in Nicholas' hand. *P.* ½. *Endd.* 11 July. *Ibid.* 65.

PETITION of JOHN BROWNE to the KING, showing that:—

Petitioner being an inhabitant of Ireland suffered greatly both in person and estate in the first of the wars there, where he served King Charles I. as lieutenant to the foot company of the Earl of Strafford. He was persecuted for his loyalty and for adhering to the Marquis of Ormond in 1649, and had to leave his home.

He prays for the constableship of the fort of Maryborough in Ireland. *P.* ½. *Underwritten with*—

Same. Order, referring this petition to the Marquis of Ormond. *Ibid.* 66.

13 July. DOCUMENTS RELATING TO THE CASE OF THE EARL OF ROSCOMMON AND OTHERS.

Copy of petition to the King of Wentworth Earl of Roscommon, Sir Edward Savage, Kt., and Edmund Windham, showing that:—

Charles I. granted to the petitioners Windham and Savage all such marsh lands and low grounds in Ireland left by the sea and all lands lying between the high and low water mark in Ireland as had been formerly granted by the King, paying, for so much as should be "inned" and improved, a yearly fee farm rent of 4*d.* or 6*d.* an acre. In the late troublesome times the grant was either lost or embezzled, and petitioners can only show their rights by verbal evidence, which is hereto annexed. They pray for a grant. *P.* ½. *Ibid.* 67.

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Depositions of John Coles, of St. Andrew's, Holborn, and of John Payne, of London.

Showing that about 1637 the late King granted to Savage, Windham, and their heirs for ever the marsh lands between the high and low water marks in Ireland at 4*d.* or 6*d.* an acre. Both depositions sworn the 13th July, 1660, before W. Glascock, one of the Masters of the Chancery. *In all, p.* ⅔. *Endd. S.P. Ireland* 303, 68 *and* 69.

This concludes the documents relating to this case.

16 July. Sir George Hamilton to Secretary Nicholas.

I waited this forenoon on the Marquis of Ormond in the matter of the petition which I send you. He remembers that the particular contained therein was granted to petitioner before Mr. Little ever mentioned it. He thinks Mr. Little should be satisfied with the other two; and that this of Ulster should proceed according to this petition. *P.* 1. *Signed. Add. Ibid.* 70.

20 July. The Marquis of Ormond to the Same.

I have some time since recommended the bearer of this, Dr. Currer, for the employment of Physician-General of the army in Ireland. I desire you to move the King in this matter and secure the matter a favourable and speedy despatch. *P.* 1. *Signed. Add. Ibid.* 71.

Same. Same to Same.

I desire that letters be prepared to the Chief Governor or Governors of Ireland ordering the appointment of Thos. Seele, B.D., as Provost of Trinity College, Dublin. He is a fit person. *P.* 1. *Signed* (*Hol.*). *Add. Endd. Ibid.* 72.

Same. The King to the Chief Governor or Governors of Ireland and to the Chancellor, Keeper of the Great Seal, and other Officers or Ministers therefor.

Directing them to give to George Rutledge the office of sealing leather in the province of Leinster in Ireland with the usual fees. *P.* ½. *S.P. Dom. Signet Office IV.* 117.

Latest date 21 July. Copy of Petition of Allen Brodrick to the King, showing that:—

The King lately granted petitioner the post of Surveyor-General of the Kingdom of Ireland. Sir Adam Loftus, who was for many years here a prisoner for great debts in the King's Bench in England, pretended some title thereto after the death of the last

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surveyor Sir Wm. Parsons, who has been dead ten years. Since April last he has taken on him the duties of the office, although for ten years he completely neglected them, which forfeited in law any right that he had.

Petitioner prays that he may have the office. *P.* ½. *Underwritten with—*

Order, dated 19 July, referring the petition to the Lord Steward of the King's Household [the Marquis of Ormond] for report, *and endd. with—*

21 July. Report of the Marquis of Ormond on the foregoing Petition.

Recommends that Sir Adam Loftus and his deputy be discharged from the office and that it be secured to the petitioner. *P.* ½. *Signed. In all, pp.* 1¼. *S.P. Ireland* 303, 73.

Petition to the King, of Henry, Earl of Clanbrassil.

His father James, late Earl of Clanbrassil, and his grandfather James, late Viscount Claneboy, served the late King faithfully. They raised a troop of horse and company of foot and maintained them for eight years in the King's interest in Ireland. After Lord Claneboy's death the estate of the Earl of Clanbrassil was sequestered by Oliver, who forced the late Earl to pay £9,455 2*s.* as composition for it, of which £4,677 11*s.* is already paid. When petitioner's grandfather purchased the territory of the Dufferin, in co. Down, from Nicholas White, of Karnistown [Kearneystown], co. Louth, various arrangements [*details given*] were made as a result of which Nicholas White received yearly £100 out of the said territory. This rent is forfeited to the King on account of the rebellion of Christopher White, son and heir of Nicholas.

Petitioner prays that his lands may be discharged of a rent of £40 forfeited to the King, and of the remainder of the composition money which was unjustly extorted from him. *P.* ½. *Underwritten with—*

Order, dated 20 July, referring the above petition to the Marquis of Ormond, *and endd. with—*

21 July. Report by the Marquis of Ormond on the foregoing Petition.

Corroborates the facts and suggests that letters be prepared directing the Chief Governor or Governors of Ireland to grant the petition unless they see reason for not doing so. *P.* ½. *In all, pp.* 1¼. *Ibid.* 74.

Petition to the King, of Oliver Jones, the King's Attorney in Connaught, showing that:—

In Jan., 164⅝, petitioner was appointed Attorney to Charles I. in Connaught by the Marquis of Ormond to hold the office during good behaviour. He was likewise in the month of February in the same

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year appointed by him to be Clerk of Affidavits in the same province. He executed these offices faithfully and suffered very much in person and estate for his loyalty. He prays for confirmation of these offices to him. He is a true and loyal Protestant. *P.* ½. *Underwritten with—*

Order, dated 20 July, referring the petition to the Marquis of Ormond, *and endd. with—*

21 July. REPORT by the MARQUIS OF ORMOND on the foregoing PETITION.

He corroborates the facts stated and suggests that the petition be granted. *P.* ½. *Signed. In all, pp.* 1½. *S.P. Ireland* 303, 75.

PETITION of LIEUT.-COL. WM. MEAD to the KING, showing that:—

Petitioner came out of Ireland in 1643 captain of a foot company in Lord Inchiquin's regiment. It consisted of 130 men besides officers, which petitioner raised at his own charge. As captain of that regiment and as lieut.-col. to Col. Frowde, petitioner faithfully served the King as long as he had an army or garrison in that kingdom. When all was lost petitioner returned for Ireland, where he had neither countenance nor employment till the King's cause began to revive in 1648. He then served as lieut.-col. in Col. Manwood's regiment until the country was reduced under Cromwell's tyrrany. He has since suffered much. He prays for the Office of Escheator of Munster. *P.* ½. *Underwritten with—*

Order, dated 16 July, referring the petition to the Marquis of Ormonde, *and endd. with—*

23 July. REPORT of the MARQUIS OF ORMOND on the foregoing PETITION.

He finds by credible information that the petitioner is a fit person to discharge the office of escheator of Munster. *P.* ½. *Signed. In all, pp.* 1½. *Ibid.* 76.

PETITION of SIR ROBERT BYRON to the KING, showing that:—

On 13 May, 1644, petitioner was granted by the King the lands, castle, rectory, tithes, &c., of Enniscorthy, co. Wexford, and other hereditaments in that county belonging to Robert Wallop, Esq., then in open rebellion in the City of London.

He prays for restoration to the same. *P.* ⅔. *Underwritten with—*

Order, dated 14 July, referring the petition to the Marquis of Ormond, *and endd. with—*

23 July. REPORT by the MARQUIS OF ORMOND on the foregoing PETITION.

Certifies the grant from the King to petitioner, but leaves the matter in His Majesty's hands. *P.* ⅔. *Signed.*

Also two of the copies of the petition without the note of reference. *In all, pp.* 3¾. *Endd. Ibid.* 77, 78 *and* 79.

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PETITION to the KING, of RICHARD GETHIN, showing that:—

Petitioner lost an estate of good value in the late rebellion in Ireland. He then raised, armed, and transported to Bristol in the King's service a company of foot. He afterwards raised a troop of horse, and served in Ireland in various capacities till 1649 without getting any advantage—which those necessitous times would not afford. In 1649 he was ejected out of all his employment, military and civil, and, after being sundry times plundered, was expelled out of his habitation in the City of Cork, exposed to various depredations by the Irish, subjected to an arbitary sentence of banishment, and exercised with frequent confinements and other oppressions, whereby in twelve years' space he has suffered much.

In consideration thereof and for his support, he asks for the office of Clerk of the Crown and Peace in the Counties of Cork and Kerry and the province of Munster with all the perquisites, &c., thereof. These are now void and in the King's disposal. *P.* ½. *Underwritten with—*

Order, dated 18 July, referring petition to the Marquis of Ormond for report, *and endd. with—*

23 July. REPORT of the MARQUIS OF ORMOND on the foregoing PETITION.

Corroborates facts and suggests that the petition be granted. *P.* ½. *Signed. In all, pp.* 1½. *S.P. Ireland* 303, 80.

24 July. PETITION to the KING of NICHOLAS SOUTHCOTE, showing that:—

He served the late King loyally and helped him with arms, &c. For this offence £1,500 was taken from him by the Parliament. He prays for the post of Receiver-General of the Revenue in Munster and Leinster. *P.* ½. *Underwritten with—*

Order, dated 24 July, as in foregoing, *endd. with—*

REPORT of the MARQUIS OF ORMOND on the foregoing PETITION.

Suggests that the letter be referred to Lord Roberts [Robartes], Lord Deputy of Ireland. *P.* ½. *Signed. In all, p.* ½. *Ibid.* 81.

[July.][1] INSTRUCTIONS for JOHN, LORD ROBARTS [ROBARTES], Keeper of the Privy Seal, who has been appointed Lieutenant-General and General Governor of Ireland.

1. Immediately on arriving in Ireland you shall deliver to our Deputy, Thomas Earl of Ossory, our letters which you shall herewith receive, giving him notice of your appointment, and shall receive from him the sword of state—"the instrument of our supreme authority, in such manner and with that solemnity as hath

(1) Lord Robartes's appointment took place 25 July, 1660.

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been usually observed in like occasions." You shall then take your place above all others as our Lieutenant and Chief Governor there and administer the oath of Privy Councillor to such as we have declared or shall declare to be of our Council there.

2. In the first place you shall require from the Council to deliver you in writing[1] a full account of the present state of the kingdom in all particulars, what is wanting, and how it may be provided. You shall forward these reports to us for consideration.

3. It shall be your first care to inquire how the judges and ministers in our Courts of Justice behave.

4. You shall take a muster of the forces as soon as may be, seeing that each company is of the force allowed for on the pay rolls. This is to be done at such places of rendezvous as shall in no wise endanger the safety of the garrisons during the time the soldiers are drawn out. You shall cause the oaths of allegiance and supremacy to be administered to all soldiers and officers, and to all governors of towns, forts and castles. Those who refuse to take the oath shall be forthwith cashiered and dismissed. In order to avoid the evil of false musters, you shall, immediately after the number has been taken, remove the quarters of each troop and company, and keep on constantly changing them, even from one province to another. You shall take care that the army be so quartered as to cause as little inconvenience as may be to our subjects, and see that it is kept in discipline, [and you shall prohibit officers from allowing soldiers to take money instead of their quarters, or to make any gain by reason of them. You shall watch those who have formerly been faulty in this respect.][2] Officers shall not be allowed to keep their soldiers' pay in their hands after it is due to them, nor to be absent without your leave, and you shall not permit any officer to be absent for more than three months at any one time.

5. You shall take a full view of our revenue, what the receipts and issues are, what arrears are due to us, by whose fault they have been suffered to fall into arrear, and how they may best be recovered. You shall see in particular what sums have been received or are due on the £300,000 allowed by Act of Parliament. "And whereas it is observed that the course now of late used in receiving and issuing moneys in that our kingdom is far different from those laudable forms heretofore practised there, and which are now in use in our Exchequer of this our kingdom" you shall discover the innovations and reduce the practice to the old rule. (*A marginal note in Joseph Williamson's hand adds*:—So far as shall be useful: or otherwise into such form as you think best for our service) and you shall in particular revise the old practice of the Court of Exchequer for bringing in debts due to us. You shall give strict orders to the Commissioners, auditors and ministers of our Exchequer

(1) The direction to require written reports is erased and a paragraph inserted, requiring the Lord Deputy simply to "inform himself of the state of the country."

(2) The sentence in brackets is struck through, as is also another draft of Clause 4, similar to that given above.

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that they take all possible steps to prevent any "cousinage, deceipt or fraud" that may be practised to our prejudice. Those who have defrauded shall be forthwith severely punished. When the Commissioners recently appointed to examine the late abuses in our revenue make their report, you shall cause an inquiry to be made into any abuses which the report may disclose. We think it desirable that in future all our revenue be brought into our Exchequer even that though much of it be in farm. The civil and military lists shall be preferred to all other items of expenditure. You shall take particular care of this.

6. "You shall in all things endeavour to advance and improve the trade of that our kingdom *so far as it shall not be a prejudice to this our kingdom of England,*[1] which we mean shall not be wronged how much soever the benefit of that our other kingdom might be concerned in it: and therefore, among other the laws concerning trade which we will that you see diligently put in execution for the advantage of that our realm of Ireland, you[2] shall give all the encouragement lawfully you can to Protestant strangers resorting into that our kingdom. If a number of them shall be willing to[3] establish themselves in any great cities or towns, upon representation of the same to us we shall give order that they shall there enjoy such privileges for the exercise of their religion as—having[4] been granted by our predecessors to Protestant strangers within our cities of London, Canterbury and Norwich—are still allowed by us."

You shall be careful of such regulations as are in favour of the trade of this our kingdom and most especially as to our foreign plantations: and shall repeal the law of naturalisation of that country in favour of strangers and "you must be careful more particularly to renew a strict and severe prohibition against the transportation of wool to any parts beyond the seas, causing very sufficient security to be taken that whatsoever quantities shall be at any time shipped for England be indeed and truly brought and landed there, and not carried, as it is but too commonly, into foreign countries. All bonds forfeited shall be diligently prosecuted against the offenders without collusion or connivance in those entrusted with that prosecution." You shall also take steps to prevent the unlawful coining of small money for change.

7. "You are so far as you may, without endangering a disturbance of the quiet of the kingdom, to endeavour by the best ways you can to bring the several dissenting parties within that our kingdom to a conformity to the religion and worship established by law." You shall certify to us what difficulties you meet in executing this task.

8. You shall forthwith take an account of the state of our military stores and, for better providing them, shall endeavour to set up the art of making powder in Ireland.

(1) These words in the margin.
(2) The words from here to end of paragraph are interleaved on a fresh sheet.
(3) These words inserted in Williamson's hand.
(4) The word is altered from *have*.

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If at any time our orders seem to you prejudicial to our interests or revenue, you shall inform us of the fact, in order that we may reconsider them.

We may add to these instructions in the future.

Pp. 15. *Two copies of a small portion. In columns half across page. Endd. S.P. Ireland* 303, 82.

[30 July.] Westminster. DRAFT of the KING to the CHIEF JUSTICE or JUSTICES of IRELAND for SIR CHARLES COOTE.[1]

Directing that Sir Charles, who "hath long experience in the affairs of that our realm," and is loyal and efficient, be made President of the whole province of Connaught. He shall have the keeping of "our house of Athlone" together with the command of the ward as constable there. He may appoint a Vice-President in his absence. *Pp.* 4. *Ibid.* 83.

Also entry of same. *Pp.* 2½. *S.P. Ireland* 308, *pp.* 9–11.

[Before 31 July.] COPY of PETITION to the KING of CAPTAIN JAMES GALBRAITH, showing that:—

He has suffered for and served the late King in several capacities without the least disaffection even "in times of the highest temptation," and is thereby reduced to poverty.

He prays for a lieutenant's command of horse in the King's standing army in Ireland. *P.* ½. *Endd.*: Referred by His Majesty. *S.P. Ireland* 303, 84.

31 July. REPORT by LORD MONTGOMERY [of the Ards], [SIR] FRANCIS HAMILTON, JOHN, BISHOP OF RAPHOE, and [SIR] ROBERT STEWART on the CASE of GALBRAITH.

Capt. Galbraith served against the Irish rebels and also in the late Duke of Hamilton's expedition into England. He raised a troop of horse and fought under the Marquis of Ormond in Ireland in 1648 and 1649, proving himself a valiant and vigilant soldier. *P.* ½. *Signed by the above. Endd. Ibid.* 85.

Same. GEORGE CARR to SECRETARY NICHOLAS.

The right of granting all offices in Ireland, excepting only the offices of Chancellor, Treasurer, Vice-Treasurer, Justices of either Bench, Chief Baron of the Exchequer and others of the barons save of the second there, Master of the Rolls, Treasurer at War, Marshal, Master of the Ordnance, Clerk of the Check, Presidents of Munster and Connaught and of his Majesty's Attorney and Solicitor, has always been in the Lord Deputy for the time being by a clause of Royal commission in their respective commissions. I am commanded by the Lord Deputy to give you notice hereof and to declare that no warrants be issued in order to any patent which shall contain a grant of any office in the kingdom of Ireland except the offices aforesaid. *P.* ¾. (*Hol.*). *Ibid.* 86.

(1) Created Earl of Mountrath 3 September, 1660.

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July. Docquet of grant to John Burniston during his life of the office of controller and customer of the port of Dublin. *S.P. Dom. Docquets, Vol.* 19, *p.* 10.

Same. Same. Solicitorship-General to John Temple, Esq. *Ibid., p.* 11.

Same. Same. Office of Chief Baron of the Court of Exchequer in Ireland to John Bisse, during the King's pleasure. *Ibid. p.* 12.

Same. Office of Clerk of the Council of the province of Connaught in Ireland to Matthew Lock during his life. *Ibid. p.* 16.

Same. Office of Clerk of the Crown and Peace in the province of Ulster to John Keating for his life. *Ibid. p.* 20.

Same. Same office in Connaught to Oliver Keating for life. *Ibid.*

Same. Office of the Collector of Customs in the port of the city of Dublin and creeks and bays thereunto belonging to Thos. Worsopp during life. *Ibid. p.* 21.

Same. Office of Clerk of the Bills and Tallies and of the Treasury in the Exchequer in the kingdom of Ireland, with the fee of 5*s.* a day to Sir Theophilus Jones during life. *Ibid. p.* 23.

Same. Attorneyship-General in Munster to Wm. Davis during life. *Ibid.*

Same. Office of Customer, Collector and Receiver in the port of Cork in Ireland to Richard Scudamore and Rowland Davice for their lives, with a fee of £6 13*s.* 4*d.* a year. *Ibid.*

Same. An office as searcher, gager and packer in Cork to Robt. Williams the elder and Robt. Williams the younger for their lives. Fee, £5 a year out of the Exchequer there. *Ibid.*

Same. Same office in Youghal to Christopher Oliver the father and Christopher the son during their lives. Fee of £10 per annum. *Ibid. p.* 24.

Same. The office of President of Connaught granted to Sir Charles Coote during pleasure and keeping the castle of Ashorne [Athlone?] and command of the ward as president there. *Ibid. p.* 25.

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July. Office of Collector and Receiver-General in the province of Connaught and Thomond and in the boroughs therein to Col. Coote and his nephew Sir Charles the younger during their good behaviour. *S.P. Dom. Docquets, Vol.* 19, *p.* 25.

Same. Office of Constable of the Castle and fort of Maryborough, in the Queen's Co. in Ireland to George St. George, Esq., during good behaviour. *Ibid.*

Same. Office of Provost Marshal in Connaught and Clare to Sir Charles Coote for life, with 4*s.* 6*d.* a day and the charge of 40 horsesmen with usual allowances, except the ordinary fee of £400 a year. *Ibid.*

Same. Same office in Munster to Howard [Heyward] St. Leger for life. *Ibid. p.* 26.

Same. Office of Printer-General in Ireland, with power to print all manner of books and statutes, to John Crook for life, with the fee of £8 a year, payable out of the Exchequer in Ireland. *Ibid.*

Same. Office of Marshal of his Majesty's army granted to Sir Henry Tichborne in Ireland during his life. *Ibid.*

Same. Office of Marshal of his Majesty's Four Courts in Ireland to John Burniston for life. *Ibid.*

1 Aug. [Suggested] Draft of the King to the Lord Deputy for Sir Henry Tichborne.

Sir Henry Tichborne, as Knight Marshal of our army in Ireland, is allowed for his retinue one trumpeter and 30 horsemen, lightly armed, he receiving 6*s.* 8*d.* a day himself, 12*d.* a day for the trumpeter, and 12*d.* a day for each horseman. These were the wages in the time of James I. and Charles I; but owing to the rise of prices these wages were during our absence raised to 14*s.* from 9*s.* a day for a captain, and to 2*s.* from 12*d.* for every horseman. These rates now continue.

Sir Henry Tichborne, as Marshal, and his trumpeter and horsemen shall have the same pay as a captain and horsemen of a company of horse. *P.* ¾. *Endd. with date, and* "to be given to Mr. Secretary Nicholas." *S.P. Ireland* 303, 87.

1660.

8 Aug. FURTHER PETITION of NICHOLAS SOUTHCOTE to the KING, showing that:—

He has long served the King [&c., as above, under date July 23]. He has asked for the post of Escheator General for Munster, but this post had already been given to Lieut.-Col. Mead.

He prays for a commissionership of customs in the port of Dublin. *P.* ½. *Underwritten with*—

Order dated as above at the Court at Whitehall, referring the petition to the Lord Deputy of Ireland. *P.* ½. *S.P. Ireland* 303, 88.

[4 Aug.] DRAFT of the KING to the LORDS JUSTICES for JOHN BRAMHALL, Bishop of Derry.

Ordering that he be advanced to the Archiepiscopal See of Armagh,[1] rendered vacant by the death of the late Archbishop Ussher, and that he have all the temporalities of the see. *Pp.* 1½. *Endd. with date. Ibid.* 89.

6 Aug. The Cockpit. WARRANT by the DUKE OF ALBEMARLE.

He continues the liberty given by the Commissioners for the government of the army in Ireland to Jeremiah Donovan, private soldier in Captain Salt's troop for two months from the 19th of this month. The Commissary-General of the Musters in Ireland or his Deputy is to continue him in the musters till 19 Oct. *P.* ½. *Signed. Endd. Ibid.* 90.

PETITION to the KING of SIR JOHN CLOTWORTHY, showing that:—

Petitioner had a pension of 6*s.* 8*d.* a day granted to him by patents dated 2 July, 1640, under the Great Seal of Ireland. Petitioner was obstructed in the receipt of this pension by the usurper Oliver, but, on application, the late Oliver granted to him in lieu of the said pension a lease for 99 years of Lough Neagh and the Bann River in Ulster, with the fishing thereof, reserving a considerable rent for the same, as by the so-called lease, dated 14 Aug., 1656, may more at large appear. On July 1, 1640, this lough and river had been delivered up to Charles I. and was undisposed of.

Petitioner gave up his pension only in consideration of receiving this lease. He prays for equitable treatment, though his right be no greater than is herein expressed. *P.* ½. *Underwritten in* Nicholas *hand*:—

6 Aug. Whitehall. Referred to the Bishop of Derry, *and followed by*—

REPORT of the BISHOP OF DERRY on the foregoing PETITION.

I have considered this petition. Sir John Clotworthy is certainly entitled to some compensation in respect of the pension of 6*s.* 8*d.* a day. Also it is certain that both the fishing and the soil of Lough Neagh and the Bann above the salmon leap are now in the

(1) He was translated to Armagh 18 January, 1661. *See Dict. Nat Biog. VI.*, 204.

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Crown and may be granted by his Majesty upon any conditions which he pleases to impose. I know this because I mediated and concluded the surrender of Lord Chichester to the Crown. I did this by the appointment of the late Earl of Strafford, then Lord Lieutenant of Ireland, for two reasons: first, that it might not be possible for any fee farmer or other person to destroy the salmon fishing at the leap or to lessen the value of it by taking salmon when they were out of season or at times forbidden; and secondly, because I apprehended that a great part of that great lough might be drained and add a considerable amount to his Majesty's revenue by reserving a small fee farm rent upon every acre that should be drained. I may have been wrong, but my friends were ready to have adventured and made a trial. On the whole I think Sir John Clotworthy may have a lease of Lough Neagh and the river of Bann above the salmon leap for the same term and at the same rent that he held it formerly with these two provisoes or restrictions:—

First, "that neither he nor any holding nor claiming under him by virtue of this lease shall take any salmon, or fish for salmon, when it is out of season—that is before the fishing at the salmon leap doth begin respectively for each year or after it is done; nor shall destroy or take the salmon fry as it is going to the sea by any mills, wears or engines, but on the contrary shall endeavour to preserve both the brood salmon and the fry in the said lough and river" and in the creeks thereof.

Second, that during the said lease his Majesty may grant licence or power to such persons as he shall think fit to drain the drainable parts of the said lough and hold them at a fee farm rent of 4*d*. an acre per year or such rent as the King shall think it right to impose. A moiety of all improvements, or such less part as they shall desire, shall always be reserved to Sir John Clotworthy and those who derive from him, they contributing a fair proportion of the charge of drainage. *Pp.* 1¼. *Signed*, John Derensis. *In all, pp.* 2. *S.P. Ireland* 303, 90.

7 Aug. Order by the Lords Commissioners of the Treasury.

The petition of Col. Christopher Roper was read setting forth his grant from King James of a pension of 6*s*. a day and its interruption by the troubles of these times. The Commissioners, being assured of Captain Roper's fidelity in the late wars, certify that he should be recommended to the care of the Lord Deputy and Council of Ireland to make such provision for him as they think fit. *P.* ⅔. *Ibid.* 91.

Same. Sir Faithful Fortescue to Sir George Law.

I pray you favour me by moving my Lord to obtain from the King a warrant giving me the command of the fort of Knockfergus. It is not worth passing a patent for transferring the office to my son, the personal pay being but 3*s*. 4*d*. a day. *P.* ½. *Signed. Add. Endd. Ibid.* 92.

1660.

8 Aug. DRAFT of SIGN MANUAL WARRANT to the ATTORNEY or SOLICITOR-GENERAL, or to the CLERK of the SIGNET attending.

Ordering him to prepare a bill for the royal signatures conferring on Thomas, Earl of Ossory, Theobald, Lord Taffe, and Sir Chichester Wray or Wrey for their lives and the life of the longest liver of them the farm of the wine and *aqua vitae* licence office in Ireland in the full and usual manner. *P.* ½. *Endd. S.P. Ireland* 303, 93.

About same. REPORT by the MARQUIS OF ORMOND to the KING on the question of the licences of wine and *aqua vitae* in IRELAND.

In obedience to your references of April 6, May 8 and June 20 on the petitions respectively of Colonel Cary Dillon and Edward Progiers, Esq., of Sir Maurice Berkely and of the Earl of Carlingford and Sir Chichester Wray, I have considered of their several pretensions to the farm of wine and *aqua vitae* licences in Ireland. I certify that the said Col. Dillon and Mr. Progiers set forth that albeit the said licences, having been an uncertain branch of your Majesty's revenue, have not at the utmost yielded your Majesty above £2,000 a year, yet they are ready to assure to your Majesty £3,000 a year, if they may have a lease of the same for seven years or more.

Sir Maurice Berkely likewise sets forth that having moved your Majesty for lease of the said licences of wine and *aqua vitae* and offered £4,000 a year, your Majesty was pleased to favour his application.

The Earl of Carlingford and Sir Chichester Wray rely upon your Majesty's grant of 8 Aug., 1660: and also on the fact that though your Majesty commanded them to forbear the passing or enrolment of their patent, yet your Majesty assured them that if they would trust you they should have their accounts out of the said farm. They now desire to be farmers thereof on any terms given to any others as compensation for loss of their grant.

The estimated value of the farm of *aqua vitae* and wine licences is £4,000 a year. Sir Maurice Berkely made the first offer of that sum. When your Majesty shall have decided between the various pretenders, I think security should be taken for the punctual payment thereof. *Pp.* 2⅔. *Signed. Endd. Ibid.* 94.

10 Aug. Whitehall. DRAFT of the KING to the DUKE OF ALBEMARLE, Lieut.-General of Ireland, to JOHN BARON ROBERTS [ROBARTES], of Truro, his Deputy of the said kingdom, and to the CHANCELLOR KEEPER of the GREAT SEAL, &c., there, for DUDLEY COOLLEY [COLLEY], of Castle Carbery, co. Kildare.

In consideration of Coolley's loyalty you shall grant to him a release and confirmation of all our title to the town and lands of Ardkill and Collinstown in the said county with such *non obstante* clauses as shall make the grant effectual. *P.* 1. *Endd. Ibid.* 95.

1660.

PETITION of RICHARD POWER to the KING, showing that:—

His forbears, Barons of Carraghmore [Curraghmore], have for "four several descents" been governors of the city and county of Waterford. Petitioner's grandfather was slain in that post fighting the rebels, and his father was "distracted" and incapable of holding it.

He prays for the post. *P.* ½. *Underwritten with*—

Order, dated 16 July, 1660, referring the petition to the Marquis of Ormond. *Endd. with*—

11 Aug. REPORT by the MARQUIS OF ORMOND on the foregoing PETITION.

Recommending that it be granted. *P.* ½. *Signed. The whole, p.* 1. *Endd. S.P. Ireland* 303, 96.

Latest and general date, 12 Aug. DOCUMENTS RELATING TO THE PETITIONS OF THE ANCIENT NATIVES AND INHABITANTS OF THE CITY OF CORK.

Copy of petition of the ancient natives and inhabitants of the city of Cork to the King, showing that:—

Throughout the rebellion, and up to the present time, they have been loyal. They manifested their loyalty to the late King by admitting Sir Wm. St. Leger and the English army in Munster into Cork and finding them billet and forage. They advanced £30,000 for the cause which is still unpaid, and saved the lives and fortunes of a great many Protestants in the country. For these services they were thanked by several letters from the late King.

Nevertheless, on 26 July, 1644, they were "by beat of drum and on pain of death expelled out of the city and suburbs and their houses, &c., in the city and suburbs seized." They lost £60,000 by this expulsion. Afterwards at the time of the peace made in January, 164⅝, between the Marquis of Ormond and the King's Irish subjects, they were restored to their property; but in October, 1649, they were again turned out, their goods seized, and their lands sequestered. They are reduced to great poverty.

As they have always supported the English and Protestant interest, and have lost thereby, and have exhausted their estates in supporting the Protestant army in Munster, and as they and their predecessors are of English descent and have adhered to the English interest ever since the City was incorporated, more than 400 years ago, they pray for restoration to their houses and lands in Cork and elsewhere in Ireland and for the privileges and liberties conferred by their ancient charters. *P.* ⅔. *Endd. with*—

Order, dated 21 July, referring the above to the Marquis of Ormond who shall suggest the best course to be taken therein, *and followed by*—

1660.

Report of the Marquis of Ormond on the foregoing PETITION.

Corroborates the statements of fact and suggests that the petitioners should be treated with the care given to his Majesty's other loyal subjects in that kingdom. *P.* ½. *Signed.* Dated 28 July, 1660. *In all, pp.* 1¾. *S.P. Ireland* 303, 97.

Copy of further petition of the ancient natives and inhabitants of Cork to the King, showing that:—

They were turned out of their possessions in Cork by the usurper Oliver and have long awaited his Majesty's happy return. Now, one Owen Silver, without authority from petitioners, upon an address of last April, obtained an order to the then Commissioners for the Government of Ireland that the rents unpaid to the Commonwealth in the baronies of Barrymore and Muskerry should be divided and given out to the petitioners and that the said baronies should be set for one year commencing from May last by the said Silver to the use of the petitioners and of the inhabitants of Youghal and Kinsale. The petitioners were not satisfied with this order and considered it inadequate. The revenues in question belong either to the King or to the former proprietors thereof. They pray that the revenue may be sequestered into safe hands until the prisoners right thereto has been discussed. *P.* ¾. *Underwritten with—*

Order, dated 21 July, referring the above petition to the Marquis of Ormond, *and endd. with—*

Report by the Marquis of Ormond on the foregoing PETITION.

Suggests the granting of the petition. The rents might be sequestered into the hands of Benjamin Crofts, Esq., until the way of treating them be determined. *P.* ¾. Dated 28 July. *Endd. Ibid.* 98.

Copy of the King to the Governors of Ireland for the ancient natives of Cork.

Their petitions have been considered. The rents, &c., in question are to be sequestered into the hands of Benjamin Crofts, Esq., who is authorised to receive and acknowledge them. All officers are to help him in this matter. *P.* ⅔. *Signed (not autograph) by* Nicholas. Dated Whitehall, 2 Aug., 1660. *Ibid.* 99.

Copy of same for same.

The ancient inhabitants of Cork, whose petition has been considered by the Marquis of Ormond, are forthwith to be restored to their lands free of all seizures, &c., and also to their ancient corporate privileges, according to their former grants and charters. This order to be punctually obeyed and effectually executed. *P.* ¾. Dated 12 Aug., 1600. *Signed (not autograph) by* Nicholas. *Ibid.* 100.

1660.

Copy of further petition of the ancient natives, &c., of Cork.

In spite of the King's late order (*see above*) they have not been restored, and certain persons who at present enjoy their estates, &c., and were incorporated by the usurper Oliver as the Mayor, &c., of Cork, as a reward for their perfidy to the King's cause, still possess them. These men have presented a petition to the King praying for confirmation in their present possession—which petition has been recommended to the Lords Justices of Ireland.

They pray for full restoration and that no favour may be shown to those who have come into possession merely by opposing his Majesty's interest. *P.* ½. *Endd. S.P. Ireland* 303, 101.

This concludes the documents relating to this case.

Petition to the King of James Audley and Patrick Fitz-simons, showing that:—

Petitioners served as ensigns and lieutenants under the late King and lost blood in his service.

In 1649 by favour of the Lord Lieutenant of Ireland they received "a mean employment" called the searcher's place of the customs of the ports of Down, Antrim, and Londonderry, whereof they remain possessed in Ireland.

They pray for continuance in that post. *P.* ½. *Underwritten with—*

14 Aug. Order, dated 14 August, referring the petition to the Lord Deputy of Ireland. *Ibid.* 102.

16 Aug. Certificate by Lord Montgomery, Sir Francis Hamilton, Sir Arthur Forbes, Sir Robert Stewart, John, Bishop of Raphoe, and Arthur Trevor.

At the request of Captain Wm. Hamilton we certify that he served the late King loyally and in the capacities of cornet, lieutenant and captain. He served first against the Irish rebels and then in James late Duke of Hamilton's expedition into England and in your Majesty's several services under the Marquis of Ormond in Ireland in 1648 and 1649. In Scotland he served in 1651 in the regiment of Wm., late Duke of Hamilton, and fought at thè unhappy battle of Worcester. In this service he suffered much.

Lastly, Captain Hamilton passed his security for his brother, Capt. John Hamilton, for a troop of horse which he [Capt. John?] raised at his own charge in Ireland, transported into Scotland and led into England under James Duke of Hamilton in Sir Francis Hamilton's regiment.

Capt. John Hamilton was slain at the battle of Lisnastreane [Lisnastrean] near Lisnagarvy [Lisburn] in 1649 at the head of his troop, fighting under Lord Montgomery of the Ards, and Captain William was then sued for and enforced to pay the sum [for which he had given security] to the great damage of his estate. *P.* ⅔. *Signed. Endd. Ibid.* 103.

1660.

21 Aug. COPY of ORDER by the LORDS COMMISSIONERS of the TREASURY.

Mr. Secretary Nicholas is prayed to give directions to the Clerk of the Signet attending to prepare a bill for the royal signature to pass the Great and Privy Seal warranting the issuing out of his Majesty's Exchequer of £50 to Mrs. Bridget Devereux, wife of Col. Nicholas Devereux, without account, his Majesty being pleased to give her that sum to carry her home to Ireland. The Secretary is to signify to all the offices that, in respect of petitioner's low condition, they receive no fees. *P.* ½. *Underwritten*: Ex. per Warwick. *S.P. Ireland* 303, 104.

General date 23 Aug. DOCUMENTS RELATING TO THE CASE OF EDWARD BUTLER, ELDEST SON OF EDMUND LORD VISCOUNT MOUNTGARRETT.

Petition of Edward Butler, as above, to the King, showing that:—

Petitioner's grandfather Richard Lord Viscount Mountgarrett, being seized in fee of the manor of Bellaraget [Ballyragget] and several other lands thereunto belonging and adjoining in the co. Kilkenny, devised the premises by indenture made the 8th of March, 163⅞, to one Cornelius Meagher to hold for 41 years from Easter, 1634. This lease was thereby declared to be in trust for the use of such of the younger children of the said Edmund, now Viscount Mountgarret, as he then had or should have, to whom he should limit and appoint the same; and the said Lord Edmund together with the said Cornelius by deed dated and made 8 March, 163⅝, assigned the same to Walter Bagnall in trust for your petitioner, who was then an infant of about a year old, as by the said deed may appear.

By the interruption of Charles I.'s government, petitioner has had no benefit of the lease: yet his friends have been put to vast expense by being forced to put in and prove the petitioner's title to all the governors and governments which the late conventions have appointed in Ireland ever since 1649. These, after several strict inquiries, declared the title good in law, but they dismissed petitioner's cause because his trustee Mr. Bagnall was a delinquent and thereby, as they pretended, had forfeited petitioner's interest—a thing never practised in England in the worst of times. It has never been known [there] that any infant or other person should suffer for the delinquency of his trustees or guardians.

The manor and lands are at present possessed by Col. Daniel Axtell and petitioner's title is opposed. He is ruined thereby and has long been compelled to live beyond the seas attending your Majesty's happy return. Axtell, for murders and cruelties, has been declared an excepted person, and his possessions forfeited to your Majesty.

He prays for admission to the manor and lands in question. *P.* 1 *and p.* ⅞. *Original and copy. The original signed by* Butler, *and underwritten with—*

Order, dated 1 August, referring the petition to Sir Heneage Finch, Bart., Solicitor-General, Sir James Ware and Sir Maurice Eustace. *Ibid.* 105 *and* 105*a*.

1660.

Report of Finch, Eustace and Ware on the foregoing PETITION.

They consider the facts which are as stated.
Walter Bagnall was "shot to death" on a judgement of a pretended High Court of Justice in Ireland and his lands seized and disposed of to Col. Daniel Axtell. The interest which was in Walter Bagnall was not forfeited and the trust accompanies the possession of them. They recommend that the petition be granted and that a letter be written to the Chief Baron of the Court of Exchequer in Ireland to issue an order in the nature of an *Amoveas manus* to the sheriff of the county wherein the said lands do lie to leave the petitioner or his appointee in possession. *P.* ¾. *Signed by the above.* Dated 23 Aug. *S.P. Ireland* 303, 106.

This concludes the documents relating to this case.

24 Aug. [?] DRAFT of [the KING] to the [LORD LIEUTENANT] for the EARL OF CLANBRASSIL.

We send the Earl's petition and also the Marquis of Ormond's report upon it: and direct you, if you find no reason to the contrary, to issue such letters patents under the Great Seal of Ireland as shall free the Earl of Clanbrassil according to the contents of his petition. *P.* ½. *Endd. Ibid.* 107.

[SAME to SAME] for SAME.

Ordering that a grant be made to him of the recognizance of £800 and of the remain[der] of the composition money made by his father, which was unjustly extorted from him. *P.* ¾. *Endd. Ibid.* 108.

General date 26 Aug DOCUMENTS RELATING TO THE CASE OF CAPTAIN JAMES ROCHE.

Petitions of Roche to the King, as follows:—

1. Showing that:—

Petitioner was lieutenant in the garrison of the town of Galway. For services done on Mutton Island there he got a pension of £200 a year for life from the customs of Galway. He has nothing else to live upon and prays that this pension may be allowed to him. *P.* ½. *Endd. Ibid.* 109.

2. Similar to foregoing. Petitioner is very poor and is unable to prosecute his warrant. He prays for leave to sell his pension to any person who will buy it and that the purchaser may have patents to enjoy it on same terms as the petitioner. *P.* ½. *Ibid.* 110.

1660.

3. Showing that:—

Petitioner had asked for the renewal of an old pension [*see petition No.* 1], but finds that the King does not deem it expedient to confirm patents for any pensions. He prays that he may be appointed controller and searcher of the customs of Galway, or for some equivalent appointment. *P.* ½. *Underwritten with*—

Order dated 13 Aug., 1660, referring the petition to Lord Roberts, Lord Deputy for Ireland. *Endd. S.P. Ireland* 303, 111.

4. Showing that:—

Petitioner got from the King the post of controller of the port of Galway. At great cost he has passed the grant through all the offices except the Great Seal. The Earl of Cork nevertheless refuses to allow petitioner to hold the office, and says it belongs to him as Lord Treasurer of Ireland. The lawyers think the office is in the King's gift.

He prays for a direction to the Earl of Cork which may enable him to enjoy the gift. *P.* ½. *Endd. S.P. Ireland* 307, 112.

5. Similar to foregoing. Petitioner asks in the alternative for a warrant for a knight baronet, or for some other employment. *Two copies. P.* ½. *Endd. Ibid.* 113 *and* 114.

Certificate of George Qussoque [Cusack], Francis Gallway, Alexander Plunkett and George Creus [Cruise.]

Captain James Roche being lieutenant in the garrison of Galway in 1651 did great service for the King and especially on a particular [occasion] at Mutton Island, near the port of Galway. A pension of £200 a year for life was conferred upon him by the Marquis of Clanricarde, the Lord Deputy of Ireland. *P.* ½. *Signed by the above.* Dated 26 Aug. *Endd. S.P. Ireland* 303, 115.

This concludes the documents relating to this case.

27 Aug. Cashel. NOTE that the following signed a petition in Ireland:—

Thos. Stanley.	Eliah Greene.
Cha. Alcock.	Bar. Fowke.
Clayton and Richard Le Hunt.	George Clerke.

P. ½. *Endd. Ibid.* 116.

27 Aug. Whitehall. DRAFT of WARRANT in favour of SIR JOHN KING of the Abbey of Boyle, co. Roscommon.

Ordering that a bill be prepared for conferring a barony upon him and that he have the title of Baron Kingston, of Kingston, in the County of Dublin. The usual clauses to be inserted and such clauses as may be necessary to illustrate the family and merits of Sir John King. *P.* ¾. *Followed by*—

1660.

Notes of like bills for Col. Richard Coote to be baron of Collooney; for Sir Charles Coote [to be] baron of Castle Cuffe, Viscount Castle Coote and Earl of Mountrath, and for Lord Broghill to be Earl of Orrery in the co. Cork, in Ireland. *P.* ¾. *Endd. S.P. Ireland* 303, 117.

28 Aug. Copy of Petition to the King of John Leslie or Lesley, DD., Bishop of Raphoe, showing that:—

Shortly before the rebellion, petitioner built a castle, at a cost of £3,500, on his see, which brought safety to those parts in the time of war. The castle was damaged in the wars, and £300 will be needed to repair it. The see is dilapidated by the wars and will not properly support petitioner and his family. He is 78 years old, "and in the course of nature" has "not any long time to live."

The Deanery of Raphoe consists mainly of the tithes of that parish where petitioner lives. He will discharge the cure thereof. There are leases in being for about 35 years of all the lands belonging to the bishopric, so that the Dean's concurrence is not necessary for confirmation of any leases there.

He prays for the Deanery of Raphoe *in commendam*. *P.* ½. *Endd. Ibid.* 118.

Further Petition of Same, showing that:—

Petitioner lost in the wars a grant which he had from Charles I. "of all islands yet undiscovered lying (as is supposed and have been seen) within a hundred leagues from the north-west of the coast of Ireland in the co. Donegal." Petitioner hears that more such islands may be discovered, "having been lately seen by ships coming into the harbour of Killbegs [Killybegs].

He prays for a grant of what he shall be able to discover. *Underwritten with*—

Order, dated 28 Aug., 1660, at Whitehall, stating that as soon as the petitioner informs the King of all such islands as are discovered within a hundred leagues to the north-west of Ireland, the King will take steps to grant his petition. *P.* 1. *Endd. Ibid.* 119.

28 Aug. Escluse [Esclusham, co. Denbigh?] Ri. Lloyd to Sir Edward Nicholas.

About five weeks since you delivered me a warrant for Mr. Symons, the graver, to engrave a judicial seal for the counties of Glamorgan, Brecknock and Radnor. I am informed that the seal is ready and I beg you will procure the same to be delivered to the bearer, or such as you shall think fit, to be carried to Radnor Sessions by Monday, 3rd Sept., which is the first day of the Great Sessions there, and where the seal will be necessary. I am further to desire your favour to call for my petition about the profits of the seal depending before the Commissioners of the Treasury. Sir Philip Warwick hath it ready when your honour shall be pleased to call for it. *P.* 1. (*Hol.*) *Add. Endd. Ibid.* 120.

1660.

31 Aug. WARRANT under the SIGN MANUAL to SIR GEOFFREY PALMER, Kt. and Bart., Attorney-General.

Ordering him to prepare a bill for the royal signature to pass the Great Seal containing the grant to Col. Richard Coote of the dignity of a baron of the kingdom of Ireland by the name of Baron Coote, of Coloonie [Collooney] co. Sligo. Usual claims and clauses illustrating the family and merits of Col. Coote to be inserted. *P.* ½. *Undersigned by* Secretary Nicholas. *Endd. S.P. Ireland* 303, 121.

General date 31 Aug. PAPERS RELATING TO THE CASE OF COLONEL CARY OR CAREY DILLON.

Copy of Col. Dillon to the King, showing that:—

His late father Robert Earl of Roscommon served the King as Privy Councillor in Ireland and (when still Lord Dillon) was rewarded by his late Majesty with a grant of certain abbeys, &c., to the value of £200 a year. By reason of the breaking out of the rebellion his patents therefor were never granted. This grant was bequeathed to petitioner as a younger son's portion. He has served the King faithfully. He prays for patents carrying out the pleasure of the late King. *P.* ½. *Signed. Endd. Ibid.* 122.

Copy of petition of the same to the King, showing that:—

The King has been pleased to direct that petitioner may continue to command his troop of horse in Ireland for the several reasons underwritten.

1. His present troop was given him by the Lord General lately for his service in Ireland against the enemies of the King and these kingdoms.
2. He has loyally served the King in England, being in the Irish Brigade here [abroad?].
3. He served under the Lord of Ormond with a troop which he himself [the petitioner] had raised.
4. Robert Earl of Roscommon, petitioner's father, was a Privy Councillor in Ireland and died in command of a troop of horse there which he had by patent.

Petitioner, who is only surviving son to the Earl, prays for a renewal of this patent. *P.* ¾. *Ibid.* 123.

Draft of the King to the [Lords' Justices?] for Colonel Dillon.

Colonel Dillon now commands a troop of horse in Ireland. He consents that his nephew, Wentworth, Earl of Roscommon, should have this troop, and that he, Col. Dillon, command the same as lieutenant. The Earl of Roscommon shall be made captain, and Col. Carey Dillon lieutenant, of that troop, according to Col. Dillon's request. *P.* ½. *Endd. in* Nicholas' *hand.* Dated 2 Aug., Whitehall. *Ibid.* 124.

1660.

Copy of the King [Charles I.] to the Lords Justices of Ireland for Robert Lord Dillon of Kilkenny West. Dated Westminster, 14 July, 1641.

For this letter see Calendar of S.P. Ireland, 1633-1647, *p.* 316, *par.* 2. *This copy is pp.* 2½, *and is underwritten—*

Examined 17 July, 1641, and agreeth with the entry in the Signet Book. Abraham Williams.

S.P. Ireland 303, 125.

The King to the Lord Lieutenant, Lord Deputy, &c., for Carey Dillon.

You will see by the enclosed copy of a letter dated 14 July, 1641, what were the intentions of King Charles I. for granting several lands, abbeys, &c., to Robert Lord Dillon afterwards Earl of Roscommon. We are informed by Col. Carey Dillon [son of Robert, Lord Dillon] that, owing to the breaking out of the late trouble his father was unable to proceed to the perfecting any grant, and left it by will to his son. In consideration of the said son's loyalty and services, we direct you to make good to him all that was intended to his father. *P.* 1. Dated 31 Aug., Whitehall. *S.P. Dom. Signet Office IV.* 119.

This concludes the documents relating to this case.

[August.] Note on the Case of Sir John Clotworthy.

As the King referred Sir John's petition to the Bishop of Derry and as the Bishop has reported on it, it is requested that the King order a warrant to be prepared for his royal signature for drawing a patent in Sir John's favour according to the report of the Bishop of Derry. *P.* ½. *S.P. Ireland* 303, 126.

August. Whitehall Draft of the King to the Lord Lieutenant, &c., and for John Lesley, Bishop of Raphoe, and for Captain Darell McSwyne, Erwin McSwyne, and Torlagh Roe O'Boyle.

These persons held various lands in the barony of Kilmacrenan in Ireland, amounting to about 4,000 acres, by virtue of one or more letters patents under the Great Seal of Ireland. John Lesley, D.D., Bishop of Raphoe, has been at great charge in building a castle on his bishopric and in maintaining a company of soldiers at his own charge, with which he defended the castle for many years until forced therefrom by the power of the rebels and turned out of his bishopric. In compensation for his losses we order you to have letters patents prepared, granting him the lands formerly possessed by the McSwines and O'Boyle or those claiming through them. If it shall appear that these lands are not forfeited, you shall grant to Lesley 4,000 acres of profitable land in a part of Ireland chosen by himself not being in the hands of adventurers or soldiers, to be held by a tenure similar to that by which they hold in the adjoining lands. *Pp.* 2. *Endd. Ibid.* 127.

1660.

August. DRAFT of ROYAL LICENCE to CAPT. MORRAGH O'DONOVAN.

Directing all whom it may concern to allow him to pass to Ireland and remain there as his occasions may require with his servant and ordinary necessary. *P.* ½. *S.P. Ireland* 303, 128.

General date August. DOCUMENTS RELATING TO THE CASE OF CHARLES TWIGG.

1. Copy of petition of Twigg to the Duke of Albemarle, showing that:—

Petitioner, being garrisoned at Carrickfergus at the beginning of our late revolutions was very useful and forward there in promoting the King's interest. He helped to bring the Duke's designs to their present condition, as John Davies, Mayor of the said place, who was present, and others can testify. In consideration of these services Sir Charles Coote gave petitioner command of a foot company and has given him leave to petition the Duke for confirmation thereof.

Prays for confirmation accordingly. *P.* ½. *Endd. Ibid.* 129.

2. Copy of further petition of same to same, showing that:—

Petitioner married the only daughter of Wm. Ireland, late of Liverpool, merchant, deceased, and there is due to him in the right of his wife £2,500 for provisions for 1,500 men for 9 weeks, when that town was besieged (Sir Robert Byron being then governor thereof) and about £1,100 for provisions, which were laid into the late King's store in Ireland, as by the annexed certificates will appear.

In consideration of these sacrifices he prays for confirmation in command of his company. *P.* ⅔. *Endd. Ibid.* 130.

3. Copy of further petition of same to the King showing that:—

Petitioner served the King well, and, as a reward, was given command of a foot company by Sir Charles Coote. He is owed sums for provisions supplied by his late father-in-law, Wm. Ireland. [*Details as in foregoing petitions.*]

Prays for confirmation in command of his company. *P.* ½. *Underwritten*: 14 Aug., 1660. Referred to the Lord General for a just answer. *Endd. Ibid.* 131.

4. Copy of certificate by Sir Robert Byron.

At the beginning of the late wars Wm. Ireland, of Liverpool, merchant, was in great dealings and credit, and reputed a rich man. When Prince Rupert took Liverpool for the King, Ireland was released (having been imprisoned for his fidelity to the King) in exchange or the Mayor of Liverpool and ten sailors captured by

1660.

Prince Rupert. Afterwards when Liverpool was besieged by Sir John Meldrum (myself being then Governor thereof) Ireland supplied me with provisions for 1,500 men for nine weeks. When the town was taken he was plundered of his whole estate, his family and children turned out of the town and himself taken as a prisoner on board ship and placed in irons. He continued in irons for sixteen months until he was released by Lord Byron, my late brother (then Governor of Chester), where he remained till Chester was taken. *P.* 1 *and p.* ¾. *Original and copy, one certified by* John Jesson. *S.P. Ireland* 303, 132 *and* 133.

5. Certificate of John Davies.

Corroborates the statements made in the petitions above. Capt. Twigg made several journeys by day and night to Dublin, where the garrison was refractory. *P.* ½. *Signed* (*Hol.*). *Ibid.* 134.

6. Copy of certificate by Sir Henry Tichborne and Sir Robert Byron.

Corroborates foregoing. After the taking of Chester Wm. Ireland came over to Ireland where he had also a considerable estate a great part whereof (being in provisions) was taken by Lord Moore, Sir Henry Tichborne, and others in authority, and put into His Majesty's store for the maintenance of the army. The remainder of his estate was lost when Cromwell took Drogheda, and his children and family turned out to the mercy of the Irish. *Original and copy. Each p.* ½. *Endd. Ibid.* 135 *and* 136.

This concludes the documents relating to this case.

END OF S.P. IRELAND 303.

Aug. Docquets of Grants, dated August, 1660.

Docquet of grant of the office of Surveyor-General of all his Majesty's honours and possessions of the kingdom of Ireland to Allen Broderick during his life. *S.P. Dom. Docquets, Vol.* 19, *p.* 28.

Same. Office of General Escheator of the province of Munster in Ireland to Wm. Meade during his life. *Ibid. p.* 29.

Same. Office of Constable of Fort Falkland, *alias* the fort of Banagher, on the Shannon, to Major Arth[ur] Gore, during his life. *Ibid. p.* 31.

1660.

Aug. Office of Clerk of the Crown and Peace in Cork and Kerry to Richard Gething during his good behaviour. *S.P. Dom. Docquets, Vol.* 19, *p.* 31.

Same. Office of Ulster King-at-Arms in Ireland to Richard St. George for his life. *Ibid. p.* 32.

Same. Office of Controller and Secondary Engrosser of the Great Roll of the Pipe of the Exchequer in Ireland to Maurice Keating during his good behaviour, with a fee of £15 per annum, payable by the Receiver there. *Ibid. p.* 32.

Same. Office of Clerk of the Estretes and Somonister of the Exchequer in Ireland to Robert Ardagh during his life. *Ibid. p.* 33.

Same. Office of the Chief Prothonotary of the Common Bench in Ireland and the custody of all bills, records, &c., to Walter Plunkett, Esq., during his life, with the fee of £Ir.10 per annum. *Ibid. p.* 34.

Same. Office of Vice-Treasurer and General Receiver of the revenues, casualties, and profits which shall be due to his Majesty in Ireland and the office of Treasurer-at-Wars, to Arthur Annesley, Esq., during his good behaviour. *P.* ½. *Ibid. p.* 35.

Same. An annuity to £100 per annum to Captain Edmund Fitzgerald, payable out of the Exchequer in Ireland. *Ibid. p.* 36.

Office of the Governor of Castle Park Fort, commonly called the fort of Kinsale, and of a foot company there to [*name not given*]. *Ibid. p.* 39.

S.P. IRELAND 304.

1660. September—November.

3 Sep. Whitehall. Warrant under the Sign Manual to the Duke of Albemarle, General Governor of Ireland and General of all the King's Forces.

Directing him to accept the resignation of Captain Cambell's [Campbell's] commission for a troop of horse in Ireland, and thereupon to grant a new commission to Sir Arthur Forbes for command of the said troop. *P.* ½. *Undersigned by* Secretary Nicholas. *Endd. S.P. Ireland* 304, 1.

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3 Sep. Whitehall. DRAFT of the KING to the COMMISSIONERS of the CUSTOM HOUSE in DUBLIN for NICHOLAS SOUTHCOTE, Esq.

Recommending him as a Commissioner or farmer of the customs of the port of Dublin, for which post he has petitioned the King. *P.* ½. *Endd. S.P. Ireland* 304, 2.

Same. The KING to the CHIEF GOVERNOR of IRELAND, for PATRICK LAMBERT.

Ordering that the escheator's and feudor's office for Connaught be conferred upon him. *S.P. Dom. Signet Office IV.* 125.

4 Sep. Whitehall. The SAME to SAME, for CAPTAIN JAMES ROCHE.

Being assured, by your report on his petition and by other means, of the loyalty of Captain James Roche, of the signal service done by him in Mutton Island—in virtue of which the Marquis of Clanrickard, when Governor of Ireland, gave him a pension of £200 a year—we order you to see that this pension is continued to him. It shall be paid from the customs of the port of Galway. *P.* ½. [*See under date* 26 *Aug.*, 1660, *above p.* 27.] *Ibid.* 124.

General date 4 Sep. DOCUMENTS RELATING TO THE CASE OF HENRY LAWRENCE.

Henry Lawrence to Secretary Nicholas.

I waited on the King at Oxford, Bristol and Bath, but was "exterpated" to Wales and then to Ireland. Between 1643 and 1644 I lent the King £300 in Oxford; and should like in repayment the command of one of the King's forts in Ireland with a company. It might be bestowed on some person less worthy than I. *P.* ⅔. (*Hol.*). *Add. S.P. Ireland* 304, 3.

Petition of Lawrence to the King.

Recites the fact of his loan to the King, his loyalty and good service. Prays for a company of foot in Ireland and for command of the fort of Cork or Castle of "Limbrick" or Waterford—or [*another hand adds*] Clonmell or any garrison in Munster. *P.* ½, *Underwritten with—*

Order, dated 4 Sep., recommending petitioner to the Duke of Albemarle, Lord Lieutenant of Ireland. *P.* ½. *S.P. Ireland* 303, 4.

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Copy of further petition of same.

Similar in effect to foregoing. Recites petitioner's service in the Low Countries, and asks for a command in Kinsale, Cork or Limerick. *P.* ⅓. *Endd. S.P. Ireland* 304, 5.

Two further copies of same.

Similar in effect to foregoing, one probably early in 1661. *P.* ½ *and p.* ¼; *one endd. in* Nicholas' *hand. S.P. Ireland* 304, 6 *and* 7.

These conclude the documents relating to this case.

7 Sep. Whitehall. DRAFT of the KING to [the LORD DEPUTY] for MOROGH, EARL OF INCHIQUIN.

Requiring that, whilst the question of his restoration to all his lands is pending, all the pretended proprietors who have made entries into any of the lands, &c., shall forbear receiving any of the rents due, or which shall grow due out of the said premises.

The undertenants and farmers are to pay no rent till they have further order therein. *P.* ½. *Ibid.* 8.

[8 Sep.] PETITION to the KING of SIR THOMAS SHERLOCK, Kt., showing that:—

He was loyal to the King and suffered much from the rebels. He had several orders from those in power that he might enjoy his lands, but by the "greatness and power" of Miles Corbett, was kept out of them.

He prays for a fair inquiry, and for a report to the King on the matter. *P.* ½. *Underwritten with*—

Order, dated 8 Sep., 1660, referring the matter to Arthur Annesley, Esq., Sir Maurice Eustace and Sir James Barry, kts., Richard Kennedy, William Ashton, Esq., or any three or more of them, *and endd. with* their signed report stating his services and recommending him for restoration. *In all, pp.* 1½. *Endd. Ibid.* 9.

10 Sep Whitehall DRAFT of the KING to [the LORD DEPUTY], for SIR ROBERT STEWART.

Ordering that he be granted the governorship of the City and County of Londonderry and of the county at large, together with the command of a foot company in the standing army in Ireland, to hold the same during his life with the usual privileges. Sir Robert maintained a regiment of foot and troop of horse at his own charge under the late King. *P.* ⅔. *Endd. Ibid.* 10.

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13 Sep. PETITION to the KING of GERALD FITZGERALD, of Pongersgrance [Punchersgrange], co. Kildare, showing that:—

He has not since the outbreak of the rebellion done anything which would make him a delinquent, yet his small holding of Pongersgrance has been seized upon (though not yet disposed of to an adventurer or soldier) for no other cause than for being a Papist and for adhering to the King and his father. He prays for redress. *P.* ½. *Underwritten with*—

Order, dated 13 Sep., referring this petition to Arthur Annesley, Esq., Sir Maurice Eustace, Sir James Barry, Richard Kennedy, and Wm. Aston or Ashton, Esq., or any three of them. *Signed by* Nicholas *and endd. with*—

REPORT by EUSTACE, KENNEDY and ASHTON on the foregoing.

They know no reason why his lands should be forfeited and suggest that the petition be granted. *P.* ⅓. *In all, pp.* 1¼. *Endd. S.P. Ireland* 304, 11.

15 Sep. COPY of RECORD of a CORONER'S INQUEST held at Duncanalley [Dunkineely?] the 15th of September, 1660, "be" [by] EDMUND [?] COLLO MCSWEINE, one of His Majesty's Coroners for the Co. Donegal, to inquire how Alexander and John Murray came to their deaths.

The Jury are:—

Wm. Hamilton, *foreman.*
Alexr. Montgomerie, gentleman.
Edward Creichtoune [Crichton] of Duncanalle [Dunkineely].
Thomas Clerke of Drumrenny [Drumrainy].
Thomas Irving of Auchend [Aughnish?]
Thomas Cawnes of Burnecronen [Buncrana?].
John Paterson of Burnecronen.
Francis Herries of Enver [Inver].
James Scot of Courne [Carne].
John Turbet of Calebegs [Killybegs].
John Warnenocke of Machrebollie [Magheraboy].
David Montgomerie of Killochtie [Killachtre].
John Mulligan of Bellilocheny [Ballyloughan].[1]
Wm. Watson of Auchend.

They find the two dead men were murdered be [by] George Cunningham, Wm. Cunningham, Andrew Cunningham, Alexr. Cunningham, Charles Murray, James Lindsay, John Walker, Owen Roe McDonochy and John Craige, and that George Cunningham and James Lindsay did fly for it. *P.* 1, with signatures (*copies*) of the jurymen, and attested by Andrew McWilliam, coroner. *Ibid.* 12.

[1] Mr. Grattan Flood has kindly helped me with several of these identifications.—*Ed.*

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17 Sep. CERTIFICATE by the EARL OF INCHIQUIN.

At the instance of Wm. Barry, Esq., I certify that for anything to me appearing Wm. Barry always demeaned himself as a good and loyal subject and was guilty of no rebellion in Ireland.

In 1643 he obtained from me leave to raise a regiment of foot consisting of 1,200 soldiers, to be transported into England for the King's service, and a considerable part of that regiment was raised at his expense. He has since, like others in that kingdom, suffered under the late usurped power. *P.* ⅔. *Signed. Add. to the King. Endd. S.P. Ireland* 304, 13.

General date 20 Sep. DOCUMENTS RELATING TO THE CASE OF JAMES MORPHY, CLERK, M.A., MINISTER OF THE GOSPEL:—

Petition of Morphy to the King, showing that:—

Petitioner has a presentation, from the private, and formerly immediate, patron, of the Rectory of Anthanry [Athenry], co. Galway. This is now, by lapse, in the King's gift.

He prays for confirmation of his presentation. *P.* ½. *Endd. with*—

Order, dated 20 Sep., referring to the annexed certificate and granting the petition. 3 *lines, signed by* Ri. Fanshawe. *The whole, p.* ⅔. *Endd. S.P. Ireland* 304, 14. *To which is annexed*—

Certificate by Robert Creighton, DD., and others.

Certifying that James Morphy is a man of "a pious conversation and orthodox in doctrine." *P.* ½. *Signed by* Robert Creyghtone, DD., Peter Ingram, Rector of Longworth, Berks., S.T.D.; A. Boyle, Ja. Hyllyard, M.A., and Thomas Man, Minister of the Gospel. *P.* 1. Dated 20 Aug., 1660. *Endd. S.P. Ireland* 304, 14*a*.

Further petition of Morphy to the King, showing that:—

He has got a presentation of the rectory of Athenry, but a question has arisen as to whether, under that presentation, he is entitled to the small tithes or vicarage of Athenry. He prays for a direction to the Lord Chancellor, &c., of Ireland that he shall have the vicarage [together] with the parsonage, and that, in accordance with an expressed desire of the King, he may be paid by the Irish Treasury all sums collected as tithes of the said vicarage and parsonage since 1 July last. *P.* ½. *Endd. Ibid.* 15.

Deed of presentation by Francis Lord Athenry presenting Morphy as above. Dated 6 Ap., 1651. *P.* ½ (*parchment*). *Signed by* Lord Athenry. *Ibid.* 16.

This concludes the documents relating to this case.

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20 Sep. Whitehall. DRAFT of the KING to the LORD DEPUTY for SIR AUDLEY MERVIN.

Ordering that he be appointed the King's prime sergeant-at-law in Ireland, to hold the office during good behaviour. *P.* ½. *Endd. S.P. Ireland* 304, 17.

24 Sep. Whitehall. SAME for SIR ANDREW AYLMER.

The Committee to which we referred Aylmer's petition assure us of his great sufferings in the war and his loyalty to us, and yet that he has been deprived of his lands of Dunada [Donadea] and other tithes, &c., in the co. Kildare, by colour of a grant made during the late distractions to Dr. John Owen, though there appear not [reason] why Aylmer should thus be deprived of his estate. The sheriffs of the counties wherein the property of which he has been dispossessed lies shall put him into possession again and he shall continue therein till put out by course of law. Clauses for execution. *Pp.* 1¼. *Endd. Ibid.* 18.

26 Sep. DRAFT of SAME for HENRY, son and heir of JOHN SEGRAVE, of Cabragh [Cabra], co. Dublin.

Ordering that he be restored to his mansion house of Cabragh [Cabra] and his other lands, &c., in Dublin County and city and in Meath and Kildare, from which his father had been expulsed by Jerome Sankey under colour of a lease or custodium from the usurper Oliver. The rents due from 24 June last past to be paid him. Clauses for execution. *Pp.* 2. *Endd. Ibid.* 19.

26 Sep. Dublin. DOCUMENTS RELATING TO THE CASE OF ARTHUR VISCOUNT RANELAGH.

Certificate of Robert Deey, Mayor of Dublin.

Certifying that Arthur Viscount Ranelagh is too ill to go to London, and that neither he nor any to his use or in trust for him has the paper or lease mentioned in the Earl of Warwick's petition to the King. *P.* ½. *Signed by* Deey, dated 25 Sep., 1660, and with the common seal [well preserved] of the office of the Mayoralty of Dublin:—Three lions passant gardant in pale with the legend "*Sigilum prepositoris civitatis Dublin.*" *Endd. in* Nicholas' *hand. Ibid.* 20.

Lord Ranelagh to Sec. Nicholas.

Sends the above certificate and asks that he may receive the justice which is accorded to all the King's subjects. *P.* ¾. Dated Dublin, 26 Sep. *Endd. Ibid.* 20*a*.

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[About same.] [The Earl of Clarendon] to Sec. Nicholas.

The Lord Steward (the Marquis of Ormond) and I spoke yesterday with the King at large about Lord Ranelagh.

The King resolved on account of his contempt of his former orders to send a messenger to bring [him] hither to answer such things as shall be objected against him. I pray you give my Lord Ossory or Mr. Boyle leave to confer with you about the way [?] and then execute His Majesty's order accordingly. *P.* ½. *Hol.* Dated Worcester House, Sunday morning. *S.P. Ireland* 304, 20*b*.

This concludes the documents relating to this case.

29 Sep. Kensington. The Marquis of Ormond to Secretary Nicholas.

I shall be pleased if you will befriend my Lord Chancellor of Ireland in the matter of a grant from the King confirming one of King Charles I.

I sent you yesterday a draft of a warrant for granting Col. Arthur Hill the constableship of his own house and a ward of twenty men, which I humbly conceive fit to be granted to him. It will secure the country thereabouts and will encourage him.

P.S.—Please give my Lord of Orrery's business a disposal. It is concerning the wardship of one Wingfield, his son-in-law.

Pp. 1½. (*the postscript Hol.*). *Add. Endd. in* Nicholas' *hand. Ibid.* 21.

Sep. Whitehall. Draft of the King to the Lord Deputy for Henry Lord Moore, Baron Mellefont [Mellifont] and Viscount Drogheda.

Directing that he be made Governor of Drogheda, of co. Louth, and of the baronies of Duleek and Slane, co. Meath, and have the command of a troop of 100 men in the standing army in Ireland. *P* ½. *Endd. in* Nicholas' *hand. Ibid.* 22.

[About same.] Same for Same.

Directing that, as a reward for his services, he be appointed Governor of the town and fort of Trogedah [Drogheda], the barony of Slane and co. Louth. *P.* ¾. *Endd. Ibid.* 23.

Sep. Draft of the King to the Chief Governor of Ireland for the Mayor, Aldermen, Sheriffs, Commons and Citizens of Dublin.

King Henry V. granted the Mayor, &c., of Dublin leave to have "a certain sword gilded with gold carried before them in honour of the said King and his heirs," as the City of London has a sword

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carried before "him." You shall issue effectual letters allowing the Mayor of Dublin and his successors to have a Cap of Maintenance borne before him as the Mayor of the City of London hath. This shall go in succession as a testimony of the King's gratitude. *P.* ¾. *Endd. S.P. Ireland* 304, 24.

October, 1660.

2 Oct. Dublin. The Earl of Mountrath to Sir Francis Hamilton, Kt. and Bt.

I recommend to you to get done as soon as possible the business of my brother Chidley Coote and of his son Coale. I shall be grateful if you will do this. *P.* ½. *Signed. Add. Endd. Ibid.* 25.

Petition to the King of Gerald Aylmer, Esq., showing that:—

Petitioner never plotted against the Royal cause. Eighteen months after the outbreak of the rebellion when things were quieted he went to his own house, 12 miles from Dublin, and remained loyally assisting the King's army in Ireland. He was expropriated by the usurper. He served in Queen Elizabeth's time, and more lately under the Marquis of Ormond. He has been only allowed a small subsistence for himself on account of his great age. *P.* ⅔. *Underwritten with—*

Order, dated Whitehall, 2 Oct., 1660, referring the petition to the Lord Chancellor of Ireland for his report, *and endd. with—*

3 Oct. Report of Lord Chancellor Eustace on the foregoing Petition.

He has considered the case and read a report [text whereof is given] dated 20 Sep., 1660, by the Marquis of Ormond, testifying to petitioner's loyalty. He recommends that the petition be granted. *P.* ½. *Signed. Endd. Ibid.* 26.

4 Oct. Dublin. The Earl of Mountrath and Wm. Bury to Secretary Nicholas.

We consider it our duty to address you concerning a matter which affects the public peace here. There have been lately two sermons preached here by one Mr. Samuel Madder (who, we now find, writes himself Mather), and who preached here by an appointment from the late usurper. Upon his apparent readiness to accept his Majesty's government he was allowed by us to continue preaching.

The sermons gave offence here as tending to sedition and tumult, and we thought well to take evidence on oath of certain persons who heard these sermons.

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One Mr. Egerton deposed before us (as to the character of the sermons) and this evidence Mr. Madder denied not, but laboured to qualify. He declared himself opposed to Episcopacy and the Book of Common Prayer, yet denies utterly that he preached anything against the civil government. He says that he is ready to obey any civil government which God places over him, and declares that what he spoke was spoken in the matter of ecclesiastical government. In proof of this he appeals to his sermons themselves, which, he says, he was asked by persons well-affected to the King to have printed.

We asked for the sermons or notes of them, and he said he would give us copies of them, but we insisted on seeing them, as he had them by him, without allowing him time to makes copies. He said that as they now lay by him, they were not legible to anybody, to which we answered that, if there were any difficulty in reading them we would have his help. He then said that in his notes there might be things more criminous than anything which he said, for that he did not preach directly from his notes. On the whole we could not persuade him to give up the notes and we did not wish to use force against him, though our suspicions were aroused by his "uningenuous" carriage. We have therefore sent you the depositions regarding his sermons, and await the King's pleasure thereupon, whilst I, the Earl of Mountrath, have prohibited him from preaching in the meantime.

In this particular of not preaching I, William Bury, forbear to agree till the King's pleasure be known; but I, the Earl of Mountrath, had the assistance of many persons in this decision whom I called in, namely:—the Bishop of Clogher, the Lord Baron of Collooney, the Lord Chief Baron of the Exchequer, Sir James Ware, Sir Paul Davys, Sir Theophilus Jones, Sir Oliver St. George, and Col. Chidley Coote. The Four Courts are not yet re-settled here, but Madder might be proceeded against, for some things he has said, before the Mayor of this city under the Statute of 2 Elizabeth. As, however, we are not willing to do anything which may conflict with his Majesty's resolution in this matter, we have not prosecuted him.

At the time yesterday, when we sent to Mr. Madder to attend us, several persons appointed preachers in the city under the late usurper sent in a petition, signed, against Wm. Bulkeley,[1] archdeacon of Dublin, who, as archdeacon, put out some monitions without consulting us. We send the petition. The persons who signed it, upon a seeming readiness to submit to His Majesty's Government, had not been hitherto removed—only Robert Chambers, who caused to be printed a dangerous and indeed treasonable pamphlet. He was removed by the General Convention and by them ordered not to preach unless he publicly recanted it, and his book to be burnt by the hands of the hangman. Nevertheless he has lately preached openly without our allowance. In answer to the petition we said

(1) Spelt indifferently Bulkley and Bulkeley.

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that we would send it to the King, and observed that if Archdeacon Bulkeley asked them to do things agreeable to the law of the land they must obey him. We said that they must obey the law of the land or that they would "hear from us in such a way as would not be pleasing to them."

We send you herewith a narrative presented to us by Mr. Archdeacon Bulkley of his proceedings and of the "tumultuary carriage" (as he alleges) of Mr. Madder in this matter; also a libel which is brought unto us by Mr. Archdeacon Bulkley; and a person who expressed dislike at the pulling down of that libel we have placed under restraint. We pray for guidance for this and similar cases: for though we have full power to act we desire a favourable interpretation to be put upon our actions.

P.S.—Yesterday Mr. Archdeacon Bulkley, being on his archidiaconal visitation at St. Andrew's Church within this city, another tumult arose, wherein it seems that Dr. Madder and others, in spite of yesterday's monition, as above described, were active. We send Archdeacon Bulkley's and Captain Fowkes' account. The matter is undergoing further examination. *Pp.* 3. *Signed. Add. Endd. S.P. Ireland* 304, 27.

4 Oct. The King to [the Governors of Ireland] for Capt. John O'Brien.

His petition shews that he was dispossessed of his house in Kilkenny, his town and lands of Whiteswall, Rathreagh, Rathbane, Philipstown and the moiety of Bawne Ricken [Baunrickeen], co. Kilkenny, by the late usurped power in Ireland.

The Marquis of Ormond reports favourably upon him, and says that he did much to maintain peace in 1646 and to re-establish it in 1648; and the Marquis, in consideration of his services, gave him the command of the fort of Leix and a company of foot. The Marquis considers that he may be restored to his lands, and that the rents reserved upon them by the late usurper be put out of charge. We order accordingly, and the order is to be promptly carried out. *Pp.* 1¼. *S.P. Dom. Signet Office IV.* 135-6.

4 Oct. Dublin. The Earl of Mountrath to Secretary Nicholas.

I received on Oct. 3 the King's letters of 25 Sept. ordering that certain persons should at once be sent to England to attend Sir Goffrey Palmer, the King's Attorney-General there, and should be there by Oct. 12, as their testimony was necessary at the trial of some persons who were active "in the horrid murder of his Majesty's Royal father of blessed memory." I took order that as many of the said persons as are in Dublin should at once take shipping and attend the Attorney-General. These are John Jooner, Samuel Barden, Richard Getings and Sybthorpe Stammers. I have caused them to be furnished with £50. The other persons have been ordered to take the same course and will follow as soon as possible. *Pp.* 1¼. *Signed. Add. Endd. in Nicholas' hand. S.P. Ireland* 304, 28.

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5 Oct. PETITION of SIR GEORGE WENTWORTH to the PRIVY COUNCIL, showing that:—

Before 1640 petitioner was Provost Marshal of Leinster, and had a troop of horse in the standing army there. He held these posts till the surrender of Dublin in [August] 1647. He prays that he may have them once more, and be entered on the Civil List now before the King and Council. *P.* ¼. *Original and copy, the original underwritten with* note dated 5 Oct., 1660, at Court at Whitehall, *signed by* Richard Browne that Sec. Nicholas remind the King of this petition in order that he may consider it. *P.* ⅔. *S.P. Ireland* 304, 29 *and* 30.

5 Oct. Dublin: At the Council Chamber. COPY of ORDER by the EARL OF MOUNTRATH and WM. BURY, "Commissioners for the Government and Management of Affairs in Ireland."

In pursuance of the expressed pleasure of his Majesty it is ordered that John Petty, gentleman, be put in possession as Deputy-Surveyor, estimator and extensor general of all his Majesty's honours, manors, lordships, messuages, lands, tenements, woods, chattels-real, lands of wards, and other Royal lands in Ireland. He is to act as deputy to Sir Allen Broderick, who, by letters patents, dated 2 August last, was appointed to succeed Sir Adam Loftus in that post. The King desires Sir Allen's attendance in England, and Petty is therefore to act in his place. Dr. Loftus and Edward Lucas, who usurp this place, are to take notice hereof, and shall deliver to Petty all books, &c., concerning the said office. *Pp.* 2. *Endd. with date. Ibid.* 31.

COPY of PETITION of DAVID KENNEDY to the KING, showing that:—

Petitioner's father, served as a captain of foot in Lord Montgomery's regiment in Ireland from the beginning of the Irish rebellion till the eighth year thereof. He then, being old, retired into a quiet life. His losses at the beginning of the war made it impossible for him to leave any considerable sum to his aged wife and many children, and in that war he lost his two [other] sons, one a captain and the other an ensign of foot. Petitioner himself was captured at Dunbar, and remained a prisoner for 27 months in great misery. Meantime he has lived meanly, but in loyalty to the King, as he can prove by good testimony.

He prays that the Lord Deputy may be instructed to provide for him in some way. *P.* ¾. *Underwritten with*—

(1) Note that the allegations of the petition were avouched to his Majesty by the late Earl of Mount Alexander.

6 Oct. (2) Order from the King, dated 6 Oct., Whitehall, to the Governors of Ireland to consider this petition and give just relief. *Endd. Ibid.* 32.

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6 Oct. Fragment of the King to the Duke of Albemarle, Lord Roberts [Robartes] and the Justices of Ireland for conferring a company on Major Arthur Hare.

Only address and endorsement, showing substance of the letter, remain. P. ½. S.P. Ireland 304, 33.

6 Oct. Whitehall. Sign manual grant to Serjeant-Major Arthur Gore, governor of Fort Falkland, of a company of foot in Ireland.

He is to be enlisted in the Irish army in Ireland at once *P. ½. Sign manual at head: and countersigned by* Secretary Nicholas.. *Ibid.* 34.

6 Oct. Dublin. Sir Paul Davys to Secretary Nicholas.

Sends the examination of Wm. Egerton, mentioned in the letter of the Earl of Mountrath and William Bury, of Oct. 4 (*see above, pp.* 41-2). It had been delayed for verification by the Mayor, before whom the examination was taken, and had not been sent with the others. *P. ⅔. (Hol.) Add. Ibid.* 35.

Same. The Earl of Mountrath to the Same.

In addition to sending away the persons named in my letter of Thursday last (*see above, No.* 28, *p.* 43) I have to-day sent away Capt. Samson Towgood, and Lieut.-Col. Nelson, the bearer of this, is now going. I have given each £10.

Since I gave you an account of disturbances made in this city by preachers I have had news from Clonmel and other places in Munster of underhand working by Col. Stanley, Col. Sadler and some others lately put out of his Majesty's army for disaffection, to seduce the people, and at the same time, by some examinations taken before the Mayor of this city, there is much reason to think that a design is carried on of enlisting men to disturb the present peace here. We are investigating the matter, and have already found sufficient cause to arrest Col. Edward Warren and Major Abel Warren in this city, and Col. Stanley, Col. Sadler and some others in the country. When the business is so fully examined as to be fit for his Majesty's consideration, you shall receive a fuller account.

No doubt the main considerations by which these people are animated are the want of a settled authority and government and the necessity of the army for want of pay, and therefore it would be well for his Majesty's service that something were done quickly in these two particulars.. *Pp.* 2. *Add. Endd. in Nicholas' hand. Ibid.* 36.

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6 Oct. The KING to the LORD DEPUTY, for THOMAS LUTTRELL, of LUTTRELLSTOWN.

He has been put out of Luttrellstown by colour of some grant or lease of the late usurper, though neither he nor his father Symon were guilty of any act disloyal to us or our father. Upon the certificate of the Marquis of Ormond and others certifying the facts in his petition to be true, we order that he be restored to quiet possession of Luttrelstown and his other lands wherefrom he or his tenants were expulsed under colour of any grant or lease made in the name of the late usurper, or of any other usurped power. The mesne profits which have accrued since 24 June last are to be restored to Luttrell. Sir Charles Coote and Wm. Bury or others who are governors of Ireland to carry out this order on application by him. Clauses for execution. *Pp.* 2. *S.P. Dom. Signet Office IV.*, 133–4.

7 Oct. Lord Chancellor EUSTACE to SECRETARY NICHOLAS.

The enclosed is but a consequent and follows naturally upon the precedent letter granted to Sir Patrick Wemyss and is indeed *pro bono publico* to avoid waste and destruction which may be done upon the houses granted unto him by his Majesty, which would be a detriment to the public. This I thought it to be my duty to signify to your honour, being that I am, &c., Maurice Eustace, *canc.* *P.* ½. (*Hol.*). *Add. S.P. Ireland* 304, 37.

PETITION to the KING of PHILIP FITZGERRARD, of Allen, co. Kildare, showing that:—

Maurice Fitzgerrard, whose heir he is, was slain "in" the head of his company in King Charles the First's service under the command of the Marquis of Ormond.

Petitioner before and after his brother's death was loyal to Charles I. and, since 1649, to the present King. Yet the late pretended Protector granted his island of Allen to Anthony Morgan, who, having first served Charles I., afterwards unworthily turned to Oliver's party.

He prays for reference of his petition to the Marquis of Ormond and for justice. *P.* ½. *Underwritten with*—

Order, dated 8 Sep., referring the "condition" of this petition to Arthur Annesley, Esq., Sir Maurice Eustace and Sir James Barry, kts., Richard Kennedy and Wm. Ashton or Aston, esqs., or any three or more of them, who are to report thereon. *P.* ½. *In all, p.* 1. *Followed by*—

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8 Oct. REPORT of EUSTACE, ASTON, ANNESLEY and KENNEDY on the foregoing PETITION.

The facts are as stated, and the petitioner's loyalty is testified to by Charles, late Earl of Cavan, governor of the City of Dublin, Sir John Gifford, Sir Nicholas White, Sir John Hoye, Oliver and Charles Lambert, Esqs., Wm. Lightbourn, D.D., Nicholas Stafford, clerk, and other persons of credit. He provided the King's forces in Ireland with clothes and food in 1641 and 1642, and kept up correspondence with the officers of the royal garrisons, thereby assisting them much, and escorted from the insurgent districts to Dublin the family of the Earl of Cavan aforesaid, the Protestant inhabitants of the town of Kilbeggan with their families, Richard Strickland, with his family, Blandon, Ambrose Moore, with several Protestant ministers, namely Mr. Price and Mr. Wilson. He has never, so far as we know, done anything to forfeit the right to the King's protection, unless he be of those indicted and outlawed in Ireland for the rebellion, which must be cleared by the Records there. *P.* 1. *Signed by the above. S.P. Ireland* 304, 38.

8 Oct. DRAFT of the KING to the [GOVERNORS of IRELAND] for THOMAS PRICE, B.D.

Ordering that he be appointed to the Bishopric of Kildare, rendered vacant by the death of Bishop Golbourne. He shall have the usual *commendams*, or, if these are not now vacant, then other benefices to the value of £400 a year. *Other details. P.* 1. *Endd. Ibid.* 39.

8 Oct Whitehall. DRAFT of SAME to the EARL OF MOUNTRATH, President of Connaught.

By letters dated the — of August, we directed that John Parker, B.D., Dean of Killaloe, should be advanced to the Bishopric of Elphin, with all writs, grants, patents, &c., usual in such cases. Lest any scruple should be made against him to hinder his receiving the last Michaelmas rent, in regard that he came not thither before the day, we direct you to give order that the rents payable this last Michaelmas for or by reason of the said bishopric, as well upon new as older contracts, for this last half-year ending at Michaelmas, be paid unto him, and that the said rents reserved on the new contracts be put out of charge for the time to come. *Pp.* 1½. *Endd. Ibid.* 40.

8 Oct. Dublin. The EARL OF MOUNTRATH to SECRETARY NICHOLAS.

Sending Mr. Davies, the bearer, the last of the persons sent for to give evidence against the persons accused of the horrid murder of the late King. Has given him £10 as travelling expenses. *P.* ½. *Signed. Add. Endd. Ibid.* 41.

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PETITION to the KING of JENICO, VISCOUNT GORMANSTON [GORMANSTOWN], showing that:—

Petitioner's father was seized of a considerable fortune in Ireland, until his estate was illegally given away by the usurper Cromwell, and the petitioner forced to seek his livelihood in foreign countries, without receiving any manner of assistance out of the said estate. He prays for restoration. *P.* ¾. *Underwritten with* —

(1) Order, dated 8 Oct., referring the petition to Lord Chancellor Eustace for his consideration.

10 Oct. (2) Report thereon of the Lord Chancellor.

He advises that it be referred to the Chief Governor or Governors of Ireland and that meantime Lord Gormanston receive an allowance out of that part of his estate which is not disposed of as the Governors of Ireland think fit. *P.* 1. *S.P. Ireland* 304, 42.

9 Oct. Whitehall. SIGN MANUAL WARRANT.

Directing that letters patents shall issue to settle a foot company in the standing army in Ireland upon Robert Dee, Mayor of the city of Dublin, as a mark of favour for his good services. *P.* ½. *Countersigned by* Nicholas. *Add. Endd. Ibid.* 43.

9 Oct. Whitehall. The KING to the LORDS JUSTICES for OLIVER CASHELL, of Dundalk.

The Lord Steward and Lord Chancellor report favourably upon his petition. He shall be restored accordingly to the lands in Dundalk, Carlingford, and elsewhere in the co. Louth, which were in 1641, or since that date, the property of himself or his father, with all profits since 24 June last. Usual clauses for execution. *P.* 1. *S.P. Dom. Signet Office IV.* 210-11.

11 Oct. PETITION to the KING of JOHN BELLEW, Esq., son and heir of SIR CHRISTOPHER BELLEW, Kt., showing that:—

Sir Christopher was made Governor of co. Louth on 30 Oct., 1641, by patent under the Great Seal of Charles I. for suppressing risings in that part of the kingdom. Sir Christopher was, however, unable to act as Governor, being ill. He surrendered the post, retired to his house at Castle Town [Castletown], and died.

Petitioner, being a child, "to shun the disasters and calamities in that nation," was sent to France, but afterwards returned with the Marquis of Ormond [in 1648?] to Ireland, and received from him the command of a troop of horse. For this service all his property was sequestered by the usurper. He prays for restoration and for his rents since 24 June last. *P.* ½. *Underwritten with*—

1660.

Certificate dated 6 Sept., 1660, and signed by the Marquis of Ormond, Lord Chancellor Eustace, Lords Moore and Montgomery, Sir Arthur Trevor, and Sir John Davies, certifying the truth of the facts therein stated. *Endd. with*—

(1) Order, dated 8 Oct., 1660, referring the petition to Lord Chancellor Eustace, and

(2) Report dated 11 Oct., 1660, *and signed by* the Lord Chancellor, recommending that the petition be granted. *P.* ½. *In all, pp.* 1½. *Endd. S.P. Ireland* 304, 44.

15 Oct. Cashel. LIEUT.-COL. HENRY [?] FINCH to ————.

According to your order I have secured Colonel le Hunt, Major Green [?], Captain Lehunt, Mr. Martin and Mr. Alcock. I send them up by Lieutenant Phillips, who will give you a very true account of the condition of this county. I have employed him about the "pitt^{ons}" [petitions?] dispersed hereabouts and he has done well by sending horsemen up and down the country to any places where I thought danger might arise. Capt. Fowkes I hear is gone to Dublin and Mr. Clark for England. I gave you an account by post of the state of Clonmel. I have only heard of two meetings there, and one of them was about the wine licences. The other was the Mayor's feast of 29 Sept. last. Many of the town profess faithfulness to your Lordship, and I do assure you at the declaring for a free Parliament they were very much for your Lordship, and when the business comes to be examined it will be found that they were drawn in by some pretending your Lordship did desire the pitt^{on} [petition] should be signed by all the English. Of this Lieut. Phillips is to give you a full account. All is quiet here. Books are sent up and down of the oath which the King took at his Coronation in Scotland. "Them persons that disperses them books doth" it out of no goodwill towards the King. I shall keep the peace in these parts. *P.* 1. (*Hol.*) *Endd. Ibid.* 45.

Circ. 15 Oct. The MARQUIS OF ORMOND to SECRETARY NICHOLAS.

I desire you to move the King by message or letter to order the General to put Sir Francis Hamilton at the head of one of the troops now void, whereupon the General undertakes to do it, and encourages him to seek it. He will tell you the name of the void troops. I also received last night this petition from my Lord of Dover in behalf of Farington, which I beseech you this morning to present to his Majesty and receive his decision upon it. If at the same time as you move for Sir Francis Hamilton you offer one Galbraith to be recommended as lieutenant, it will be a favour to a very deserving person.

P.S.—Lieut.-Col. Searle's petition is most reasonable and cannot be refused him.

His Majesty is also engaged for a foot company to Sir Francis Hamilton's son Charles. *P.* 1. (*Hol.*). *Add. Endd. in Nicholas' hand*: *R*[*eceived*] 15 *Oct. Ibid.* 46.

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15 Oct. Rose, Marchioness of Antrim, to Secretary Nicholas.

As it pleased the King to lay the trouble of my Lord's business partly on you, and as I have not been able to see you, I write to ask you to remind the King to deliver the papers and instructions for my Lord's examination. His estate has been long out of his hands only for his loyalty, and the charges on my small fortune are multiplying. We shall be ruined if we do not have timely consideration. I regret troubling you. *P.* ½. *Signed by* the Countess. *Add. Endd. in* Nicholas' hand. *S.P. Ireland* 304, 47.

[16 Oct.] Copy of Petition to the King of Sir Wm. Dongan, Kt. and Bt., showing that:—

On the first breaking out of the rebellion in Ireland petitioner's father, Sir John Dongan, Kt. and Bt., with petitioner and Sir Walter Dongan, his eldest son, repaired to England, offered their service to the King and served him against the rebels. Five others of his younger sons, namely, Edward, Robert, Michael, Thomas and James, as soon as they were old enough to bear arms, joined the King's forces. Edward died in the siege of Drogheda and Robert served his Majesty abroad in several capacities, and is now lieutenant in the Duke of York's troop in Flanders. Yet the said Sir Walter Dongan, whose heir your suppliant is, was turned out of the possession of all his lands, tenements and hereditaments, and thereby his mother and sisters reduced to want and beggary, whereby they were forced, or some of them, to sue for some land in Connaught to prevent starving. This was set forth to them without Sir Walter's privity, he being at the time beyond seas.

He prays for a reference to some persons of known integrity who may examine the truth thereof and certify the same to your Majesty, to the end right may be done. *P.* 1. *Underwritten with*—

Order, dated 16 Oct., referring the petition to the Lord Chancellor of Ireland, who shall certify his knowledge on the matter and advise action. *Endd. with*—

Report by Lord Chancellor Eustace on the foregoing Petition.

I well knew petitioner's father, who appeared vigorously against the rebels. They burnt down his house of Castletown in co. Kildare, which made him remove to Dublin with his family. Some time after Sir John with his eldest son and petitioner removed to England, where they eminently served in the wars. Sir John and Sir Walter afterwards returning to Ireland, both served under the Marquis of Ormond. They continued there till Sir John died, and afterwards Sir Walter, being overpowered by the tyrant Oliver, had to quit Ireland, "choosing rather to leave all his estate than to live under such a tyrant." He lately died abroad and the premises descended to petitioner, as his brother and heir.

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It is true that his mother and some of his relations were compelled to sue [the usurping government] for some lands in Connaught for their support; but considering the pressure of those times, I do not think this fact should prejudice petitioner, who at the time was serving the King abroad. I think he should be restored to Castletown and his other lands. *P.* 1. *Signed. In all, pp.* 2. *Endd. S.P. Ireland* 304, 48.

About Same?

Further Petition of Same, showing that:—

In the year [16]56 it being published that the King was drawing his subjects together in Flanders, Sir Walter Dongan immediately sent a cousin german of his own—Capt. Edmund Nugent—from Cadiz in Andalusia into Flanders, desiring his Majesty's orders that Sir Walter and those under his command might repair into Flanders. To this the King answered by Lord Ormond and by Sir Henry Bennett, his resident at the Court of Spain, that he should remain in Spain, this being most convenient for the King's service.

Under these orders he remained in Spain, and it was not his fault, nor that of other loyal officers, whose names are appended, that he and they did not go to Flanders. They beg that this fact may be made known that the King may "publish the same grace" to them as to others of his loyal subjects.

List follows of the officers concerned:—

Sir Walter Dongan.
Sir Wm. Dongan.
Col. Michael Dongan.
Major Thos. Scurlog.
„ James Butler.
„ Symon Preston.
„ Laurence Demsey.
Captain Nicholas Masterson.
„ Charles Birne.
„ Edmund Den.
„ Nicholas Cahan.
„ Arthur Cavanagh.
„ Nicholas Shortal.
„ Edmond Nugent.
„ Francis Fleming.
„ Morris Fitzgerald.
„ John Lery.
„ Charles McDaniel.
„ Thomas Dongan.
„ John Esmond.
„ Richard Duin.
„ Patrick Nash.
„ Pierse Fitzharris.
„ James Birne.
„ Teige McDermot.
Captain Thos. Bourke.
„ John Bourke.
„ John Brenan.
„ Hobert Brenan.
„ Oliver FitzGerald.
„ Florence McCarty.
Alferez [Lieut.] Wm. Alin.
„ Cormack Higin.
„ Edmund Kelly.
„ Walter MacDaniel.
Aiutant [Adjutant] Edmund Moore.
„ Herbert Falon.
„ Florence Brody.
Alferez John Squirins.
„ Andrew Comerford.
„ Teige O'Connor.
„ Patrick Colin.
„ James McMahon.
„ Laurence Nugent.
„ Dermot Sullivan.
„ Wm. McKenna.
„ John Fitzgerald.
„ John Shortal.
„ Francis Wickham.

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Serjeant	Daniel Birne.	Alf.	Roger Maguire.
,,	Wm. Wailsh.	,,	Edmund Maguire.
,,	Daniel Ferrael.	,,	Edmund Kelly.
,,	Alexr. Red.	,,	Wm. Luiz.
,,	Nicholas Bealagh.	,,	Dominick "Gulluhuil."
,,	Michael Kiery.		
,,	Brien Muldory.	Qrtmr.	Abraham Strong.
Captain	Owen Jordan.	Sergt.	Richard Demsey.
,,	Brien O'Neill.	,,	Paul Doyle.
,,	Wm. Ewing.	,,	John Helbert.
,,	Marcus Devereux.	,,	Ed. Doyle.
,,	Patrick Gueogh [Gough ?]	,,	James Maguire.
		,,	Anthony Cavanagh.
,,	Richard Demsy.	,,	James Kerrin.
,,	Charles Carroll.	,,	Walter McDaniel.
,,	Nicholas Wailsh.	,,	Richard Kearney.
,,	Christopher Sweetman.	,,	Edmund Birne.
		,,	Ed. Purcell.
Alf.	[= Alferez = Lieut.] Edward Briton.	,,	Henry Neolan.
		,,	Theig Mulrian.
,,	Thomas Wickham.	,,	Neil Cranley.
,,	Richard Birn.	,,	Florence O'Mahon.
,,	Phelim Fail.	,,	Patrick Cody.
,,	Christopher Faden [?].	,,	Donnagh Redmond.
		,,	Daniel McCarty.
,,	Hugh Donovan.	,,	Gulbasbagh Ducan.
,,	Daniel Doran.		
,,	John Doran.		

Pp. 3½. *Endd. S.P. Ireland* 304, 49.

16 Oct. Petition to the King of Rice Philipps, showing that:—

In 1648 the wardship of the body and lands of Pierce, Lord Cahir, grandchild and heir of Thomas, Lord Cahir, deceased, was by the Marquis of Ormond, then Lord Lieutenant of Ireland, granted to Morogh, then Lord Baron, and now Earl, of Inchiquin. In May, 1649, Inchiquin assigned his interest in the said wardship to petitioner for valuable consideration. Petitioner has since enjoyed the wardship, but has not been able to get letters patents for it. He prays for such patents, *P.* ½. *Underwritten with*—

Order, dated 16 Oct., 1660, referring the petition to the Marquis of Ormond and Lord Chancellor Eustace for discussion and report, *and endd. with*:—

Report of Ormond and Eustace on the above Petition.

The assignment of May, 1649 [*see above*] was void, inasmuch as no patents confirming it were passed under the Great Seal. Nevertheless, they think the petition should be granted. *P.* ¾. *Signed by* Ormond and Eustace. *In all, pp.* 1½. *Ibid.* 50.

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17 Oct. Council Chamber, Dublin

The Earl of Mountrath and Wm. Bury to Secretary Nicholas.

It has always been the case that all official despatches and letters, either out of England to the Chief Governor's house here, or by him sent to England or to other parts of Ireland, should be free of the charge of postage: but lately Mr. Samuel Bathurst, who is entrusted here with the management of the Post Office, tells us that he has received instructions from one Mr. James Hickes, of the letter office in London to tax all letters, parcels, or packets carried or re-carried by the post, unless they are the King's own letters or those of the Lord Admiral, Lord Chancellor, Warden of the Cinque Ports, Lord General, or his Majesty's principal Secretary of State. He also says that the letters, &c., going to and from Ireland and in Ireland are to be taxed, unless they are directed as abovesaid or signed on the outside of the letters, as may appear by a copy of that "branch of Mr. Hickes' letter, signed by Mr. Bathurst, which we send." Mr. Bathurst is therefore taxing despatches to us from England, whence we sometimes get news for the King's service from other than official sources.

We have many communications with magistrates, commanders of garrisons, &c., through the country, and now that charge is much more than it formerly was, by reason of the accounts to be made of the excise and new imposts, and of the accounts of the army now in stating. This involves the posting of voluminous bundles of accounts, &c., and the charge for postage of these is very heavy. We trust that neither ourselves nor the officials in Ireland to whom we have referred will be required to meet these charges out of our own or their own pockets. If these charges are put on them local officers will be unwilling to receive letters from us, which would be prejudical to his Majesty's service.

We request that official letters written to or by us may be free of postage. *Pp.* 1½. *Signed. Add. Endd. S.P. Ireland* 304, 51. *Enclosing:—*

Relation by Samuel Bathurst.

I have notice given me by Mr. James Hickes of the letter office in London that the governors of the postage direct him to tax all letters, packets and parcels that are carried or re-carried by the post, excepting the King's own letters, or those of the Lord Admiral, Lord Chancellor, Lord General, Lord Warden of the Cinque Ports, and his Majesty's principal Secretary of State, and that the letters, packets and parcels going to and from Ireland and in the kingdom of Ireland are likewise to be taxed unless the same are directed as aforesaid, or signed on the outside of the letters. Dated 15 *Oct., Dublin. P.* ¾. *Endd. Ibid.* 51*a.*

17 Oct. Council Chamber, Dublin.

The Earl of Mountrath and Wm. Bury to Secretary Nicholas.

We lately received the King's letters of 18 Sept. last in behalf of Sir Allen Broderick, Kt., concerning the office of Surveyor-General here, a copy whereof we send you hereinclosed. Thereupon

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Dr. Dudley Loftus, son to Sir Adam Loftus, Kt., and Edward Lucas to-day presented the enclosed petition unto us concerning the matter which was read over before Sir Allen Broderick's deputy and solicitor.

As we have done what the King's letters require, and as those petitioners desire to be left to the law, we esteem it our duty to inform you of the state of the case. *P.* ⅔. *Signed. Add. Endd. S.P. Ireland* 304, 52.

PETITION of SIR EDWARD SAVAGE and EDWARD PROGERS to the KING, showing that:—

Daniel O'Brien's lands in co. Limerick are forfeit to the King owing to O'Brien's rebellion; that is to say, the castle of Carrecgunell [Carigogunnel], the villages of Newtowne [Newton], Knockrumram [Knockrawer], Mucknies [Mucknish], Termooe [Tervoe], Lowtown [Lorton] and Racklahand, [Dromlohan?] with the appendants. They were lately possessed by Sir Hardress Waller and are now forfeited. They pray for a grant of these lands in fee farm. *P.* ½. *Underwritten with—*

Order, dated 18 Oct., 1660, referring the petition to Lord Roberts, Lord Deputy of Ireland, for report. *Ibid.* 53.[1]

19 Oct. Belturbert [Belturbet].

CAPT. LIVESEY SHARPLES and CORNET JOHN TIBBES, TEBBES or TEBBES to the EARL OF MOUNTRATH.

Hearing of a convening of the Irish in the parish of Killeven [Killeevan] about seven miles from here, and not positively knowing the place of the convention, the party [which we sent out] being divided, five of them happened on the place where they were all met at mass and, seeing the priest in vestments, seized upon him. As they wanted force by reason of the rest not coming in, the priest was rescued by the multitude, their arms taken from the soldiers and they ill-treated and beaten with stones and clubs. Upon the return of the party we sent out another which brought in some men who confess that they were present when the soldiers were ill-treated, but will confess no more, nor can the soldiers positively swear to them. They can, however, swear that the priest was one who was formerly taken by some of Major Moore's troop, and let out by Captain Foster, High Sheriff of Monaghan, upon bond not to officiate again as priest. The prisoners we keep here till we know your pleasure—but we may say that they threatened the men with "hanging and other torture." *P.* 1. *Signed by* Sharples and Tibbs. *Add. Endd. Followed by—*

Note asking who Sharples and Tibbes are. It appears that Tibbes is captain to Major Richard Moore. Sharples may be of Col. Brett's company, which q[uarte]r[s] at Belturbet: but the names of his officers are not in the list of the army. *P.* ½. *In all, pp.* 1½. *Endd. Ibid.* 54 *and* 54*a*.

(1) Mr. Grattan Flood has kindly sent me the identifications suggested in this entry.

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[About 20 Oct.] PETITION to the KING of LUKE DILLON, showing that:—

Petitioner never joined with the Irish who were in arms at the beginning of the rebellion, and helped the English who were in distress, entertaining some in his house and preserving money and plate for others. He was plundered to the amount of £1,000 by the insurgents, and, as soon as he could with safety do so, repaired into the English quarters close to Trim garrison, which was under the command of the Marquis of Ormond, with his wife, who was an Englishwoman and always a Protestant.

He was nevertheless debarred by the late usurped power from enjoying his estate in co. Cavan. It was given to Captain Fenwick, who had served under the Parliament and he sold it for £60, it being worth £300 a year, to Colonel Kempston. Col. Kempston was an Anabaptist and brother-in-law of Col. Ludlow, with whom he sided to prevent the King from coming in. Petitioner's estates were only let from year to year to the use of the Commonwealth.

He prays for speedy re-instatement, and that meantime the rents of his estate may be stopped in the tenants' hands. *P.* ⅔. *Underwritten with—*

Order, dated 20 Oct., referring the petition to the Marquis of Ormond and Lord Chancellor Eustace, *and endd. with—*

REPORT by ORMOND and EUSTACE on the foregoing PETITION.

They have considered the petition and the certificate thereon of the Bishop of Clonfert and Sir Francis Hamilton. These certify that Dillon preserved and helped the English in the time of the rebellion, and afterwards lived inoffensively near him. He was as loyal as his forefathers the Earls of Roscommon, and is uncle to the late Earl. The Marquis and the Lord Chancellor recommend that he have the tithes on his property handed over for his subsistence till the King's pleasure be known, and that his lands be disposed of according to the rule laid down in the King's intended Declaration for settling the several interests in Ireland. *P.* 1. *Signed. In all, pp.* 1¾. *Endd. S.P. Ireland* 304, 55.

[About same.] PETITION to the KING of ARTHUR LORD VISCOUNT MAGENNIS OF IVEAGH, showing that:—

Petitioner, being under years when the distractions in Ireland broke out in the time of King Charles I., put himself into the service of the said king, and was the last of the Colonels to submit—as appears by his articles made by Commissary-General Reynolds. The enemy prevailing, petitioner left the kingdom and has ever since been in his Majesty's service in foreign parts, and is now a captain in the foot company of his Highness the Duke of Gloucester. Yet his lands are seized on, and he has not wherewithal to find food and raiment.

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He prays for restoration and for stoppage of the Hollantide rents in the tenants' hands till further order. *P.* ½. *Underwritten with*—

Order, dated 16 Oct., referring the petition to Lord Chancellor Eustace, who is to report whether this estate is now in the hands of soldiers or in whose hands it is: and what he thinks right to be done. *Endd. with*:—

20 Oct. REPORT by EUSTACE on the foregoing PETITION.

Corroborates the facts stated in the petition and suggests that it be granted. *P.* ⅔. *Signed. Endd. In all, pp.* 1½. *S.P. Ireland* 304, 56.

General date 22 Oct. DOCUMENTS RELATING TO THE CASE OF NICHOLAS BAYLEY AND JAMES READE.

Petition of Bayley and Reade to the King, showing that:—

They long served the King loyally, and for their loyalty and sufferings were granted the Statute Office and the ranging of Hyde Park. It was found, however, that the Statute Office had been given away by Charles I., and the grant of the Rangership was taken back.

They pray for a piece of land in co. "Kilkely" in Ireland [*see next petition*] of about 7,000 acres, being not worth above £500 a year, at a fit rent. *P.* ¾. *Underwritten with*—

Order, dated 11 Oct., referring this petition to Lord Chancellor Eustace who shall take evidence as to the value of the lands from persons now in town, and report; *and endd. with*—

Report of Lord Chancellor Eustace on the foregoing petition.

I find by the evidence of Col. Jeremy Sancky and Lieut.-Col. Stephens, who "lives" on part of the premises, that the lands in question are about 5,000 acres, and worth about £450 a year. Sancky, who was intrusted with the letting of these lands to the use of Ireton, says that Sir Edward Butler, Viscount Galmoy, was seized of the town and lands of Upper Grange, Lower Grange, and Barameunt [Barrowmount] and lived peaceably there, being kind to Oliver's soldiers. Pierce Butler, his son, was killed in battle in the King's service under the command of Sir Walter Dongan, and Edward, now Viscount Galmoy, was at that time very young and under years.

I also found that Sir Walter Butler was in his lifetime seized of Pouletown [Paulstown], Shanakill [Shankill], and Garryduffe, part of the lands assigned to Ireton; and Sancky declared that Sir Walter was an inoffensive man. He also declared that Kilboy was part of the lands mentioned in the petition and belonged to several

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burgesses of Gowran, and that these burgesses were inoffensive and that he kept them from being transplanted into Connaught. There are, indeed, so many interests mixed in these lands, that I think no grant of them should be given till such cases are considered together in the final settlement which is now under consideration. *P.* ½. *Signed by* the Chancellor, dated 22 Oct., 1660. *In all, pp.* 1¾. *S.P. Ireland* 304, 57.

Further petition of Bayley and Read to the King, showing that:—

Petitioners asked formerly to become tenants to the King for a portion of land in Kilkenny, formerly in possession of Colonel Ireton. The petition was referred to Lord Chancellor Eustace, who declared the lands not to be worth £450 at a rack rent.

They pray for a lease of these lands for sixty years from May last, at such a rent as the King thinks fit. *Two copies. P.* ½ *and p.* ½. *Both endd. Ibid.* 58 *and* 59.(1)

This concludes the documents relating to this case.

[22 Oct.] NOTE addressed to SIR CHARLES COOTE, the COMMISSIONERS for GOVERNMENT of IRELAND and OFFICERS there.

Urging upon the Protestant settlers in Ireland the necessity of appealing to the King and Parliament for protection in their estates.

The writer says:—"Is your cause so bad that you are ashamed to speak for it, or is there none that will venture to take upon them to be your advocate, when every Papist and Irish rebel can have an advocate to say, or say it himself, that they are not rebels but fought for the King, and that you are rebels and have cut more throats than they?" They say that the English regiments will be disbanded, and Irish regiments from beyond sea will come over and keep the nation. *P.* ½. *Signed anonymously,* I. C. V. R. I. L. *Add. as in heading, and endd. in Sir Paul Davis'* [?] *hand,* Papers from Mr. Bellingham, 22 Oct., 1660. *Ibid.* 60.

22 Oct. Whitehall. DRAFT of the KING to the GOVERNORS of IRELAND for the MARQUIS OF ORMOND.

The Marquis complains that the excise and customs imposed on prize wines in Ireland, which is his inheritance, was greatly raised in the late times of tyranny and oppression. You are to order the officers of the ports that such wines pay no more than the old rates. *P.* ½. *Endd. in* Sir Maurice Eustace's *hand. Ibid.* 61.

(1) Obviously later than the above petition, but placed here for convenience.

1660.

PETITION to the KING of PATRICK, BARON OF DUNSANY, showing that:—

Petitioner has always been loyal to the royal cause, as against both English and Irish rebels, yet is turned out of his property and exposed to "exstrem want and beggerie."

He prays for a reference to persons of knowledge in Ireland and for justice. *P.* ¾. *Underwritten with*—

Order, dated 22 Oct., referring the petition to the Marquis of Ormond and Lord Chancellor Eustace, *and endd. with*—

23 Oct. REPORT of ORMOND and EUSTACE on the above PETITION.

They certify his loyalty and service in the Royal cause. They recommend that such of his land as is at the King's disposal be restored to him, and that such of it as is in the hands of adventurers and soldiers be considered according to the rules laid down in the intended Declaration in this matter. *P.* ½. *Signed. In all, pp.* 1½. *Endd. S.P. Ireland* 304, 62.

General date 23 Oct. DOCUMENTS RELATING TO THE CASE OF WALTER PLUNKETT.

Petition of Walter Plunkett to the King, showing that:—

Charles I., by patent dated 12 April, 1647, granted to petitioner's father and his executors, &c., the towns and lands of Rickenhore [Riggenhore] and Sawcerstown at the yearly rent of 20*s.*, formerly belonging to one Blackny attainted and outlawed for treason, so long as the same should remain in the King's hands. Owing to the "iniquity of the times" the petitioner and his father did not profit by this grant. He prays for a fresh grant on the same terms. *P.* ½. *Underwritten with*—

Order *written by* Richard Fanshaw, and dated 28 Sep., 1660, referring the petition to the Marquis of Ormond: *also accompanied by* an order dated 24 July, referring "Mr. Plunkett's petition" to the Marquis of Ormond, Sir James Ware, Sir Maurice Eustace, and such others of the Council of Ireland as the Marquis shall think fit. This second order directs them to hear the petitioner and Sir Henry Tichborne, and decide the matter if they can, or else to certify the King what is right to be done.

[*The second order of reference may possibly belong to another petition.*]

The petition and first order are endd. with—

Report of the Marquis of Ormond on the above petition.

The petitioner and his father were loyal. The petition should be granted, leasing the lands for 41 years and reserving 20 nobles where 20*s.* was formerly reserved. *P.* ½. *Signed.* Dated Whitehall, 23 Oct., 1660. *The whole, pp.* 1½ *and p.* ⅔. *Endd. Ibid.* 63 *and* 63*a.*

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Draft of [the King to the Lords Justices].

Directing them to restore Walter Plunkett to his lands of Rickenhore and Sawcerstown on the conditions mentioned in the foregoing report of the Marquis of Ormond. *P.* ⅔ [*about same as foregoing*]. *Endd. S.P. Ireland* 304, 64.

[*This concludes the documents relating to this case, but see below, p.* 75.]

23 Oct. Whitehall. The King to the Lords Justices for Captain William Hamilton

Captain Hamilton has served and suffered for the Royal cause, and his brother John was slain in our service, after he had contracted debts for raising a troop of horse in Ireland and bringing it to Scotland and then to England. Captain William, who stood bound for these debts, has since paid them. He shall have the first foot company that falls void in the Irish establishment. *Pp.* 1½. *S.P. Dom. Signet Office IV.*, 306-8.

General date 23 Oct. Documents relating to the Case of Viscount Barnewall.

Petition to the King of Nicholas Barnewall, Viscount of Kingsland in Ireland, showing that:—

Petitioner had several lands, &c., in Ireland, by grant from the King's predecessors, but was expelled by the late usurper, who leased out his estate from year to year.

He prays for reinstatement. *P.* ½. *Followed by*—

Order, dated 12 Oct., referring the petition to the Lord Chancellor of Ireland, Arthur Annesley, Esq., and Sir Wm. Aston, or any two of them, who are to report and say whether any of these lands are possessed by any of the soldiers. *In all, p.* ¾. *Endd. S.P. Ireland* 304, 65.

Report of Lord Chancellor Eustace, Sir Arthur Annesley, and Sir Wm. Aston, on the foregoing petition.

Though himself a Catholic, Lord Barnewall adhered to the English and Protestant interest in Ireland and was allowed by them to keep his estate, but was dispossessed after the murder of Charles I. He was conditionally excepted from the usurper's Act of Attainder of the rebels in Ireland in 1656 : yet he never fulfilled the conditions imposed, and accordingly forfeited his estate. This is clear proof of his innocence, and we think that he should be restored to so much of his estate as is not in the hands of soldiers, and should have the Michaelmas rents thereof. If any part of his estate is in the hands of adventurers—which we

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cannot find that there is—we think the restitution should be suspended till they be reprised; yet it should be speeded, as his right to the whole estate is unquestionable. *P.* ¾. *Signed.* Dated 23 Oct., 1660. *S.P. Ireland* 304, 66.

Copy of the Sign Manual warrant to the Marquis of Ormond.

For creating Nicholas Barnewall Viscount Barnewall of Kingsland. *P.* 1. Dated at Court at Ragland [Raglan], 12 Sept., 1645. *Ibid.* 67.

This concludes the documents relating to this case.

23 Oct. Draft of the King to the Lords Justices for Edward Vernon.

Vernon has petitioned for a grant of the manor and island of Clontarf and Hollybrook, late in the possession of John Vernon, and formerly appertaining to one George King, attainted of treason in the year 1641, as appears by a certificate under the hand of Thomas Kennedy, chief Remembrancer of that realm. On recommendation of Sir Maurice Eustace we grant this petition, the grant to be with "all lands, waters, fishings, fowlings, profits, commodities," &c., usually held with the premises. A rent of £10 [?] shall be reserved. *P.* 1. *Partly in Lord Chancellor Eustace's hand. Endd. Ibid.* 68.[1]

[24 Oct.] Petition to the King of Walter Cheevers, of Mouncton [Monkstown], Esq., showing that:—

Petitioner lives within four miles of Dublin and adhered constantly to the Royal cause. He was ousted of his property by Cromwell and his adherents and his estate was given to Col. Edward Ludlow, a person excepted for life and estate.

He prays for a reference to the Marquis of Ormond or the Lord Chancellor, and that, if they certify his petition to be true, orders may issue to the sheriffs of Dublin and Kildare to reinstate him. *P.* ½. *Underwritten with*:—

Order, dated 24 Oct., referring the petition to the Marquis of Ormond and Lord Chancellor Eustace, *and endd. with*—

Report by Ormond and Eustace on the foregoing Petition.

They corroborate facts stated and suggest that the petition be granted. *P.* ½. *Signed. In all, pp.* 1½. *Endd. Ibid.* 69.

(1) *And see below, at date* 27 *June*, 1661.

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24 Oct. Whitehall. SIGN MANUAL WARRANT to the CHIEF BARON OF IRELAND for the time being, to the SHERIFFS of the counties wherein the estate of NICHOLAS BOURKE lies, and to all others concerned.

The petition of Nicholas, son and heir of James Bourke, late alderman of Limerick, sets forth that though his father died a faithful and loyal subject, and though he himself has always been loyal and a Protestant, yet he has been dispossessed of his property for no other reason than because his father was a Papist.

On reference of this petition to the Marquis of Ormond, Lord Chancellor Eustace, Mr. Kennedy and Major Aston, it was reported that the petitioner should, in justice, be restored to his estate. He shall be restored accordingly. Clauses for reprisals and execution. *P.* ½. *Countersigned by* Nicholas. *Endd. S.P. Ireland* 304, 70.

24 Oct. Dublin. The EARL OF MOUNTRATH and WM. BURY to SECRETARY NICHOLAS.

On the 22nd of this month Daniel Bellingham, Alderman of Dublin, came and presented to us two papers, one being a "remonstrance" to the King and Parliament of "all your Majesty's Protestant subjects inhabiting and residing in your Kingdom of Ireland as well officers and soldiers in the army as gentlemen, free holders, and other inhabitants in the several counties and the inhabitants of several cities and towns corporate throughout the said Kingdom of Ireland," and a further paper addressed to Sir Charles Coote and the Commissioners for the Government of Ireland and the Council of Officers there, to be communicated to whom it concerns. Alderman Bellingham received these things under cover and sealed at the Post House, but know not who sent them. We do not like this way of proceeding, and shall endeavour to find and call in question those who are responsible for it. But we think it right to submit them for the King's consideration.

We have just heard from co. Cavan of the securing of a Popish priest, whom the soldiers had caught in his vestments, and that the soldiers who took him were beaten and ill-treated. We have given order for the persons arrested to be carried before a justice for their examination and to be bound over to the next Assizes, but we do not know whether the justice will act without orders from the King; and there can be no Assizes till the country is settled.

We have heard to-day from Lieut.-Col. Finch from Cashel that books are sent up and down of the oath which the King took at his coronation in Scotland. The dispensing of these is doubtless done out of no good affection to the King. We have given direction that the responsible people shall be secured pending our further orders, but we can give no other directions till we have the King's instructions as to the Government. The unsettled state of affairs renders offenders very bold since they know they cannot be proceeded against. *Pp.* 2. *Signed. Add. Endd. in* Nicholas' *hand. Ibid.* 71.

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[20 Oct.] Petition to the King of Thomas Aylmer, showing that:—

He was loyal to the Royal cause and took no part in plotting the Irish rebellion: nevertheless was detained in Dublin for ten months at its commencement by the Marquis of Ormond. Has been dispossessed. He prays for restitution. *P.* ½. *Underwritten with*—

Order, dated 20 Oct., referring the petition to Lord Chancellor Eustace, *and endd. with*—

24 Oct. Report by Lord Chancellor Eustace on the foregoing Petition.

Certifies the truth of facts as above and sets out an order of the Lord Deputy and Council of 15 May, 1655. This order stated, in answer to petition of Mabel and other distressed daughters of George [and sisters of Thomas] Aylmer, that the State took nothing from them (their brother's estate being forfeited by recusancy) and need not therefore support them, but leaves them to the care of their mother, who is to have lands in Connaught.

Thinks the petition should be granted. *P.* ¾. *Signed. In all, pp.* 1¾. *Endd. S.P. Ireland* 304, 72.

Petition to the King of the Earl of Mountrath, showing that:—

In 1643 petitioner and Sir Francis Hamilton spent £750 in arming their forces for the public service. The then Parliament promised to pay them, but let the petitioner be impleaded for a debt of that amount and be forced to pay it. On complaint to the then Lord Lieutenant and Council of Ireland he was awarded the town and lands of Raghera [Raghra], King's County, in pledge till the debt was paid.

He prays that these lands may be continued to him till his debt be paid. They are in the King's hands. *P.* ¾. *Underwritten with*—

Order, dated 24 Oct., referring the petition to Lord Chancellor Eustace, *and endd. with*—

Report by Lord Chancellor Eustace on the foregoing Petition.

Recommends that the petition be granted. *P.* ½. *Signed. In all pp.* 1¼. *Endd. Ibid.* 73.

24 Oct. Petition to the King of Nicholas Whyte, showing that:—

Petitioner's father, by a deed dated 20 Nov., 1620, conveyed all his lands, &c., in Ireland to feoffees in trust to the use of himself for his life, the remainder of part thereof to Ursula his wife, daughter of Garret Lord Moore, for her jointure, and of the rest to petitioner, being his son and heir apparent, in the way which by this deed appears.

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Petitioner's father lived in the English quarters from the time of the rebellion in Ireland until his death. Petitioner himself took the same course and on all occasions adventured his life against the rebels. Even if petitioner's father had been guilty of crime—which he was not—the petitioner's remainder, being created before the rebellion, is saved by the provision of 17 Car. I. [called in Statute Book 16 Car. I., cap. XXXIII. *See Statutes of the Realm, Vol. V., p.* 168.]

He prays that his affairs may be referred to the Commissioners now waiting on his Majesty for the affairs of Ireland or to other fit persons for study and report. *Two copies. P.* ¾ *and p.* ⅔. *One underwritten with—*

Order, dated 24 Oct., referring the petition to the Marquis of Ormond and the Lord Chancellor of Ireland, *and endd with—*

Report of Ormond and Eustace on the foregoing Petition.

They testify to the loyalty of the petitioner and his father. There is nothing against petitioner "except that he is a recusant," which by no law can extend to the forfeiting his estate. All this appeared to them by a certificate signed by the Earl of Orrery and other Commissioners appointed by the General Convention in Ireland and sent by them to Lord Deputy Roberts [Robartes]. His petition should be granted. *P.* ½. *Signed. The whole, pp.* 1¾ *and p.* ⅔. *Endd. S.P. Ireland* 304, 74 *and* 75.

24 Oct. Whitehall. Draft of a Royal letter appointing A. B. Justices for the Government of Ireland. *P.* ½. *Endd. Ibid.* 76.

[24 Oct.] Petition to the King of Nicholas Darcy, of Platin or Plattin, co. Meath, showing that:—

His predecessors, of ancient English extraction, have always been loyal to the English Crown, and he has served the King faithfully since the beginning of the rebellion. He has been deprived of all his estate, which was given to Major Morgan and other opposers of his Majesty. Petitioner, by an agreement, settled his whole estate upon his son and heir, George D'Arcy, upon his marriage with the Hon. Frances Fitzwilliam, daughter of the late Lord Fitzwilliam of Merrion. He also made a settlement on his wife for her jointure, of which she is deprived by the usurper.

He prays for an order to the sheriffs of the counties where his property lies for the re-instatement of himself and his wife. *P.* 1. *Underwritten with—*

Order, dated 24 Oct., referring this petition to the Lord Chancellor of Ireland, *and endd. with—*

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24 Oct. REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

He has known the petitioner from childhood, and was bred in Trinity College, near Dublin, with him. He knows of petitioner's loyalty, and it has been testified to by the Marquis of Ormond, himself, Lord Moore, Lord Montgomery, and Thomas Armstrong, whose report he has seen. Petitioner should be restored to such of his lands as are not in the hands of adventurers or soldiers, those which are in such hands following the rule set down in the intended Declaration. His wife's estate could not be forfeited on account of anything done by her husband for a longer period than her life. She should therefore be re-invested in her jointure. *P.* ¾. *Signed. In all, pp.* 1¾. *S.P. Ireland* 304, 77.

[Before 25 Oct.] PETITION to the KING of CHARLES HARA, showing that:—

Petitioner being possessed of and inhabiting the lands of Slatt [Slate], Tellogarly [Tullagharley], "Ballofie" and "Anchrokill," co. Antrim, was at the beginning of the rebellion forced to withdraw therefrom to Carrickfergus with his family, whence, through the injurious dealing of the Scottish army, he removed to the Isle of Man. On the cessation made between the Marquis of Ormond and the Irish he was induced to return to Ireland, and obtained an order for enjoyment of his lands, of which he was soon after divested by "the horrid injustice of the late depraved times," and his lands given out to a soldier of Oliver Cromwell's. Thereby petitioner and his family have been and are reduced to extreme exigencies—almost to a perishing condition. As the time of All Saints approaches the present pretender to the rents is likely to carry them away if not prevented by the King's prerogative.

Petitioner prays for an order stopping the said rents in the hands of the tenants, and that the pretender thereto be not allowed to distrain for them. *P.* ¾. *Underwritten with—*

Order, dated 22 Oct., referring this petition to Lord Chancellor Eustace, *and endd. with—*

25 Oct. REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

He thinks the petition should be recommended to the Chief Governor and Council of Ireland to treat it according to the King's Declaration for settling several interests in Ireland. The tenants to keep the Michaelmas and All Hollantide rents pending the Chief Governor's and Justices' final order. *P.* ½. *Signed. In all, pp.* 1½. *Ibid.* 78.

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[22 Oct.] PETITION of GEORGE DUNN to the KING, showing that:—

Petitioner's father, Michael Dunn, being seized in right of his wife (petitioner's mother), Mabel, of certain lands in Ireland, settled the same on himself and his wife for life, and after raising portions for his daughters, to his eldest son by Mabel.

Michael was afterwards brought to trial for his life in a pretended judicatory commonly called the High Court of Justice and there murdered; and by colour thereof all the said lands as aforesaid "seized on" upon a pretence that Mabel was a Papist, whereas really she was a Protestant. All this was done by oppression of Miles Corbet, "the common enemy, for by that name he was for his tyranny known in Ireland."

Petitioner, being then an infant, was consequently turned out of his property. He prays for a reference to persons of knowledge, to the end that justice may be done. *P.* ½. *Underwritten with*—

Order, dated 22 Oct., referring the above to Lord Chancellor Eustace, *and endd. with*—

25 Oct. REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

He corroborates the facts and himself advised the settlement mentioned. Recommends that petitioner be restored to such of the lands as are in the King's disposal, and that the lands in the hands of adventurers or soldiers follow the rules expressed in the King's intended Declaration. *P.* ¾. *Signed. In all, pp.* 2. *Endd. S.P. Ireland* 304, 79. [*See below, p.* 71, *last entry.*]

General date 25 Oct. DOCUMENTS RELATING TO THE CASE OF CAPTAIN FULKE ROKEBY.

Petition to the King of Captain Fulke Rokeby, showing that:—

Petitioner served as ensign under the Earl of Strafford two years before the late troubles broke out, and afterwards under the Marquis of Ormond as commander of the old standing company in Jamestown, until the surrender of Dublin. He was the only commissioned officer under Sir Charles Coote, who remained constantly loyal in that province. He suffered long imprisonment, and was, with his family, ruined for his loyalty, as can be testified by the Marquis of Ormond and the President of Connaught.

He prays for restoration to his command. *P.* ½. *Underwritten with*—

1. Order, dated 25 Oct., referring this petition to the Duke of Albemarle for recommendations thereon, and

2. Report of the Duke of Albemarle.

Advises that a lieutenant's place may be bestowed on petitioner. *Signed. In all, p.* 1. *Ibid.* 80.

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Certificate of Col. Richard Coote.

Corroborates the facts stated in Capt. Rokeby's or "Rookesby's" petition. *P.* ½. Dated 25 Aug. *Signed.* *P.* ½. *Endd.* *S.P. Ireland* 304, 81.

Similar report by Thomas, Lord Dillon of Costello-Gallen.

Rokeby was lieutenant in a company of foot in Ireland in 1644, 1645, and 1646, when Lord Dillon was Lord President of Connaught. He served faithfully at that time and later in Dublin, under the Marquis of Ormond, till the surrender of that city. Afterwards, contrary to the articles thereof, he was questioned for his life by Major Armesby [Ormsby], and suffered a long imprisonment, to the utter ruin of himself and family. He has since been loyal. *P.* ½. Dated 8 Oct. *Ibid.* 82.

Similar certificate by the Marquis of Ormond.

Corroborates the facts stated in the petition of Capt. Rokeby, but says that he commanded the old standing company in Jamestown for two years *before* [not *after*] the rebellion in Ireland under Sir Charles Coote, now deceased. On the death of Sir Charles the company was given to his son, Col. Richard Coote (now Lord of Collooney). Lord Ormond gave Capt. Rokeby a commission as lieutenant in that company. Rokeby served the present and late Kings faithfully. *P.* ⅓. Dated 17 Oct. *Signed.* *Endd.* *Ibid.* 83.

This concludes the documents relating to this case.

25 Oct. Lord Chancellor Eustace to Secretary Nicholas.

Encloses a petition of an infant who has suffered as much as any in Ireland. Sends draft of a letter to be signed by the King in order to get the matter promptly settled.

Desires that Col. Rosworme's petition, which has lain a long time in the office, may be referred to the Duke of Albemarle. Asks for Nicholas' order to the Master of the Jewels [and] to Sir Thomas Vyner to deliver him the chain made for the Mayor of Dublin, which comes to £120 or thereabouts. *P.* ½. (*Hol.*) *Add.* *Endd.* *Ibid.* 84.

[26 Oct.] Petition of Peter Nottingham to the King, showing that:—

By the death of his brother, petitioner became his heir of several lands, farms, &c., in the city and county of Dublin, and in Meath and Kildare. He was an officer of horse under Ormond, and, when the usurper conquered, left his estate and lived abroad for eight years. His estate is in the King's disposal, and he prays for restoration to it. *P.* ½. *Underwritten with*—

Order as foregoing petitions, dated 26 Oct., referring the petition to Lord Chancellor Eustace, *and endd. with*—

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REPORT of LORD CHANCELLOR EUSTACE on the foregoing PETITION.

Lamorack Nottingham, of Ballyowen, co. Dublin, the petitioner's father, was loyal during the rebellion till his death. He was an Englishman born, as the Marquis of Ormond [*whose certificate, dated 6 Sep.*, 1660, *is here set out*] testifies, and his loyalty and sufferings are also certified by a certificate dated 12 Sep., 1660, *and signed by* the Lord Chancellor, Sir James Barry, Sir John Clotworthy, Sir Richard Kennedy, and Sir Wm. Aston [*text whereof is here set out*]. His petition should be granted. *P.* 1. *Signed. In all, pp.* 2. *Endd. S.P. Ireland* 304, 85.

[26 Oct.] PETITION of HENRY ROCHEFORT to the KING, showing that:—

Two of petitioner's brothers were killed in the King's service—one at Worcester and the other in Ireland. He served abroad under the Duke of York and suffered much. He has been dispossessed of his estate, which is in the King's disposal, and it has been given by the late usurper to one Blackwell, one of the murderers of the late King. He prays for restoration. *Two copies, substantially the same. One p.* ¾. *Ibid.* 86. *The other underwritten with*—

Order as foregoing petitions, dated 26 Oct., 1660, referring the petition to Lord Chancellor Eustace, *and endd. with*—

REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

Petitioner should be at once restored to such of his lands as are not in the hands of adventurers or soldiers. The facts as to his brother's death are proved by certificates [*which are here set out*] of the Marquis of Ormond, Samuel Stuart and Wm. Carles. *P.* ¾. *Signed. In all, p.* 1¾. *Endd. Ibid.* 87. [*See also under date* 31 *Dec.*, 1660.]

PETITION to the KING of HENRY ROCHFORT, of Kilbride, showing that:—

Captain John Blackwell's adventure fell by lot in the barony of Ikerkin [Ikerrin] in the co. Tipperary in Ireland, and [he,] not being satisfied therewith, applied for a change. By favour of the late usurper, and because he had done him many services, Blackwell was changed into the cos. Dublin and Kildare, not only contrary to the original act of 17 Car. I. "the ground of all adventurers," but contrary to the King's Declaration for settling interests in Ireland. He here possesses Castledellan [Castledillon] and "Ballehais, being hamlet of the same." Petitioner, though he served the King abroad, is consequently kept out of his lands as aforesaid, but is kept out of them by Commissioner Lord Kingston, who has "bought the broken title since May last," contrary to the King's Declaration that no Commissioner should buy any such interest. As Blackwell did not get these lands by lottery, petitioner prays for restoration and for the rents since 24 June, 1660. *P.* ½. *Ibid.* 88. [*Placed with foregoing for convenience.*]

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26 Oct. Whitehall. SIGN MANUAL WARRANT to the ATTORNEY GENERAL.

Directing him to prepare a letter to pass the great seal containing the King's Commission to Sir Maurice Eustace, Lord Chancellor of Ireland, Roger Earl of Orrery, president of Munster, Charles Earl of Mountrath, president of Connaught, appointing them justices for the present Government of the kingdom of Ireland. This post they are to hold in as ample a manner as their predecessors. *P.* 1. *Undersigned,* Ed. Nicholas. *Endd. S.P. Ireland* 304, 89.

[26 Oct.] PETITION to the KING of JOHN ROSWORME, engineer-general, showing that:—

He served faithfully for divers years in the army here as engineer, but is now about to be disbanded. He has no other means of subsistence but his profession, in which he has long practice "in Germany (his native country), Poland, under the King of Denmark, and in England."

He prays for the post of engineer in Ireland vacant by the death of Capt. Webb, who has been put out for disaffection to the King's service. *P.* ½. *Followed by—*

(1) Order, dated 26 Oct., referring this petition to the Duke of Albemarle.

(2) Report of the Duke of Albemarle on the above. If the King continues the post of engineer in Ireland Rosworme is an able man to fill it. *P.* ⅛. *Signed. In all, p.* 1. *Endd. Ibid.* 90.

REPORT by LORD CHANCELLOR EUSTACE and the EARL OF ORRERY.

It is highly necessary to have an engineeer in Ireland. There are many forts to be renewed and maintained. *P.* ½. *Signed Attached to foregoing. Ibid.* —.

26 Oct. The KING to the DUKE OF ALBEMARLE, LORD ROBERTS [ROBARTES] of Truro, and the other GOVERNORS, &c., of IRELAND, for RICE PHILLIPS, of Thurles.

Phillips' petition shows that in 1648 the wardship of Pierce, Baron of Cahir, grandson and heir to Thomas Butler, deceased, Lord of Cahir, was granted by the Marquis of Ormond, when Lord Lieutenant of Ireland, to Morrogh, then Lord Baron and now Earl of Inchiquin; also that afterwards, in May, 1649, Lord Inchiquin, by deed and for consideration, assigned his interest in the said wardship to Phillips, and covenanted to procure for him a grant of the same under the Great Seal; and, if Pierce should die under age, then to get him the wardship of the next heir, and so *de herede in heredem* until one of them shall attain the age of 21 years, in as large a manner as the same was granted to him, Lord Inchiquin. The Lord Steward [Marquis of Ormond] and Sir Maurice Eustace, report in favour of

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granting the request that Philips should have the wardship of Pierce, &c., accordingly. You shall grant it accordingly in as ample a manner as wardships have hitherto been granted in Ireland, reserving to him £5 a year besides all chief rents, &c. The usual *non obstantes* to be inserted. *Pp.* 1¾. *S.P. Dom. Signet Office IV.* 136-8.

26 Oct. Copy of Draft of the King to the Lords Justices for James Fitzgerald, of Lackagh, co. Kildare.

He has petitioned for restoration to him of his house of Norraghbeg [Narraghbeg], and his lands, &c., in Ireland. Sir Maurice Eustace, to whom his petition has been referred, reports that he has been fathful to us and our father for anything he knows. He has been oppressed in the late tyranny and we are bound to do him justice. He shall enjoy his estate in Kildare and elsewhere, and the tenants shall pay him their rents which they have in hand. Clauses for execution. *Pp.* 2⅛. With note that Nicholas countersigned and with certificate (*Hol.*) by Lord Chancellor Eustace that it is a true copy. *Endd. S.P. Ireland* 304, 92.

Same. Further Drafts of Similar Letters for Same.

(1) Recites that, on reference of Fitzgerald's petition to Sir Maurice Eustace, Sir Maurice reported in his favour, producing a certificate signed by Lord Muskerry and given by the Duke of York's command. This certificate proved that Fitzgerald had served the King abroad for several years as a soldier and officer in His Highness's regiment abroad, and constantly from time to time appeared at the rendezvous wherever that regiment was ordered to be. *The rest of the letter is identical with foregoing. Pp.* 2½.

(2) Recites the recitals in foregoing in briefer form. *P.* ½. *In all, pp.* 3. *Ibid.* 93.

[Same.] Petition to the King of Andrew Dowdall, showing that:—

Christopher Dowdall, of Killaly, co. Louth, died in 1639, having been a loyal subject to the Crown. Petitioner, his only son and heir, was under age, and of very tender years for several years after the distempers broke out in Ireland; but when he came to man's estate he adhered to the Royal cause both by sea and land, and at home and abroad. For this he suffered many years' imprisonment and other sufferings, and has been kept out of possession of his estate in the baronies of Farrard [Ferrard] and "Cooly" [Coolock?] and other his inheritance in Ireland by the late usurped Government. No part of this is disposed of to adventurers or soldiers, but is let from year to year for the public use.

He prays for reinstatement. *P.* ½. *Underwritten with—*

Order, dated 26 Oct., referring this petition to Lord Chancellor Eustace, *and endd. with—*

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31 Oct. REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

A certificate assures me of the loyalty of petitioner, saying that he was twice taken by enemies and brought into Plymouth Castle, and that he endured three years' imprisonment for loyally serving the late King. Other certificates attest this and show that he served King Charles I. in Scilly and elsewhere, that he served him at sea for eight years, and that he commanded the frigates having the Duke of York's commission from foreign ports. His services are well known to the Court of Admiralty, whose Judge has attested them, and they are corroborated by Ben. Johnson, Register at San Sebastian, in a certificate dated 25 March, 1660. On the strength of these certificates I conceive that he should be restored at once to such of his land as is at your Majesty's disposal. Those lands which are set out for the adventurers or soldiers should go by the King's intended Declaration, &c. *P.* ⅔. *Signed. In all, pp.* 1½. *S.P. Ireland* 304, 94.

Same. PETITION to the KING of ARCHIBALD STEWART and JOHN TRAYLEMAN and other SURETIES for RANDALL, Marquis of Antrim, and of SIR THOMAS SOAMES, THOMAS CARLETON, JOHN LAWRENCE, ROBERT THOMPSON, HUMPHRY BRADBOURNE, RANDALL GRAHAM, WILLIAM GOMBLEDON, ELLYNOR CHAPMAN, and about sixty other persons, citizens of London, creditors of the said Lord Marquis, showing that:—

In 1637 and 1638 the petitioners Stewart and Trayleman became, with others, sureties for the Marquis of Antrim to the other petitioners for the payment of certain large sums which they advanced to the Marquis. The debt was about 42,000*l.* and the Marquis had given rents and profits of the barony of Cary and Island of Racklyn [Rathlyn] for 99 years as security to the guarantors by deed dated 21 Nov. 1637. The guarantors had recourse to these rents, received them, and paid them away in considerable sums to the Marquis's creditors.

The late usurper gave the lands to soldiers in 1656 although the guarantors made known their charge.

The feast of All Saints is at hand, when rents are payable, and the petitioners cannot recover the lands by suit without great expense. There are as yet no law courts open in Ireland.

They pray for restoration, for removal of the soldiers and that the tenants may be directed to hold their rents if petitioners are not in by All Hallowtide. *P.* 1. *Signed by* all the petitioners as mentioned above, and also by Mary Grinder, Peter Geldynge, Edward Bashe[?], Thomas Yate, A. Corsellis, and John Churchman. *Endd. with*—

Order, dated 15 Oct., referring the petition to the Lord Chancellor of Ireland, *and with*—

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31 Oct. REPORT of LORD CHANCELLOR EUSTACE on the foregoing PETITION.

The question is one much controverted, and I suggest it be determined at the Council table. *P.* ½. *Signed. In all, pp.* 1½. *S.P. Ireland* 304, 95.

Oct. Whitehall. DRAFT of the KING to the LORD DEPUTY for WILLIAM SMITH and PETER WYBRANT, aldermen, of Dublin.

Being satisfied of the abilities of Wybrant and Smith, who have been employed as agents for the City of Dublin to do us service, and of their loyalty, we recommend them both as fit persons to you to be appointed as Commissioners of the Excise and Customs there, and if the Excise and Customs are taken off or put in any other way, then to employ them in such public employment as may be for their advantage and profit. *P.* ½. *Endd. Ibid.* 96.

Same. DRAFT of the KING to the LORD DEPUTY for SIR GEORGE PRESTON.

Directing him to grant to Preston all the lands in King's Co. which Alderman Gregory Clement had by lot or otherwise in that county. *P.* ½. *Endd. Ibid.* 97.

About Oct. [?] DRAFT of SAME to SAME for EDWARD VERNON.

On 26 Oct., 1660, we granted to Edward Vernon, in reward of his loyal service of our father, the manor or township of Clanturf, *alias* Clantafe [Clontarf], with Hollybrook and the island of Clontarf, in the barony of Coolock, co. Dublin, being about 500 or 600 acres. All these lands shall be confirmed to him and shall be inserted in any Act of Parliament which is or shall be made for the confirmation of particular grants of that kingdom. *P.* ⅔. *Endd. Ibid.* 98 *and* Docquet of a similar letter of 26 October [which is not in the Signet Book] in *S.P. Dom. Docquets, Vol.* 19, *p.* 55.

Oct. SAME for GEORGE DUNN.

Sir Maurice Eustace reports approving the petition of Dunn. We send both petition and report to you and order you to re-possess him of so much of his lands as is not in the possession of adventurers and soldiers. For so much as has been set out for them we order you to make restitution before next May and to reprize such adventurers and soldiers absenting, according to our intended Declaration for settling the interests in Ireland. *P.* ⅔. *Endd. S.P. Ireland* 304, 99.

1660.

Oct. DRAFT of the KING to the LORD DEPUTY for COLONEL HENRY CROMWELL.

Directing that no difference be made between him and any soldier or adventurer in respect of what land he holds as soldier or adventurer. *P.* ¼. *Endd. S.P. Ireland* 304, 100.

DOCQUETS of the GRANTS of Oct., 1660, as follows:—

A demise to Sir Edward Massey of the manor of "Leinx" [Leix?] and the site of the late dissolved monastery of Leinx, and all towns, lands, tenements and hereditaments in the Queen's Co. for 51 years at the yearly rent of £50 payable into the Exchequer of Ireland. 5 *lines. P.* ⅛. *S.P. Dom. Docquets, Vol.* 19, *p.* 52.

The office of lessor, receiver and collector-general of his Majesty's composition money, rents and arrerages of rents in Leinster, to James Shaen during his life. 4 *lines. Ibid.*

The office of Lord Chancellor and Keeper of the King's Great Seal of Ireland to Sir Maurice Eustace during the King's pleasure. 3 *lines. Ibid. p.* 53.

The office of Clerk of the First Fruits in Ireland granted to James Mudford. 2 *lines. Ibid.*

The office of Collector and Receiver of his Majesty's customs in the port of Galloway [Galway] in Ireland to Thomas Sandford during the King's pleasure. 3 *lines. Ibid.*

The office of the Court of Wards and Liveries in Ireland granted to Thomas Piggot during his Majesty's pleasure with a yearly stipend of £300. 3 *lines. Ibid.*

The office of Comptroller of the Customs of the port of Galway in Ireland to Thomas Amory during his life. 3 *lines. P.* ⅛. *Ibid. p.* 54.

The office of collector and receiver in the port of Limerick in Ireland, and all ports, creeks, &c., thereunto adjoining, to John Whalley during his life. 4 *lines. Ibid.*

NOVEMBER, 1660.

2 Nov. CERTIFICATE by the EARL OF INCHIQUIN.

Jeremy Donovan, of Dublin, gentleman, served as captain of a company of foot soldiers in the army under my command in the King's service in Ireland. He was slain at Rathmines when the King's forces besieged Dublin. *P.* ¼. *Signed. Endd. S.P. Ireland* 304, 101.

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[3 Nov.] Petition of Richard Butler, of Kilcash, to the King, showing that:—

Petitioner has loyally fought for the King at home and abroad, and has had his lands confiscated and given to adventurers and soldiers.

He prays that these adventurers and soldiers may be reprized in Carlow or elsewhere, and that himself may be restored. *P.* ½. With order, &c., dated 3 Nov., referring the case to the Lord Chancellor, *and underwritten with*—

Report of Lord Chancellor Eustace on the foregoing Petition.

Col. Richard Butler served under his brother, the Marquis of Ormond, against the tyrant Oliver. Afterwards he served the King abroad. The petition should be granted. *P.* ½. *Signed by* the Lord Chancellor, and with endorsement and part of the report in his hand. *The whole, pp.* 1½. *S.P. Ireland* 304, 102.

General date 3 Nov. Documents relating to the Case of Luke Gernon, as follows:—

Petition to the King of Luke Gernon, Second Justice of the province of Munster in Ireland, showing that—

Petitioner, in August last, petitioned for an appointment as Chief Justice of Munster, that he may have the happiness to spend the remainder of his life in the King's service. He has served long in his present post and suffered much for his loyalty.

This petition was referred to Lord Roberts [Robartes], Lord Deputy of Ireland, who has not reported thereon.

Petitioner prays that this post may be given him. *P.* ½. *Underwritten with*—

Order, dated 3 Nov., referring this petition to the Lord Chancellor of Ireland, *and endd. with*—

Report by Lord Chancellor Eustace on the foregoing petition.

He has considered Gernon's petition and received a report thereon from the Earl of Inchiquin, dated 20 Sep., 1660, testifying to the honest and faithful exercise by Gernon of his office as Second Justice of Munster [*report given verbatim*] and recommending that he be appointed Chief Justice of Munster. Another report [*given verbatim*], dated 15 Aug., 1660, and signed "Cork, Kerry, Edward Synge, M. Boyle, Ro. Sterling, Jo. St. Leger, Wm. Meade, Alexander Piggott, and Richard Geathin," states that being put out of his office by Cromwell, Gernon lived privately and never served the other side. These reports, added to my own knowledge of Gernon's fidelity, prompt me to recommend that his petition be granted. *P.* 1. *Signed. In all, pp.* 2. *Ibid.* 103.

1660.

Further petition of Luke Gernon to the King.

Giving facts as stated in foregoing petition [*q.v.*] which refers to this one. *P.* 1. *Underwritten with*—
Order, dated 8 Aug., 1660, referring it to Lord Roberts. *Endd. S.P. Ireland* 304, 104.

Report by the Earl of Inchiquin.

Testifying to the fidelity and loyalty of Gernon [*see above*, the Lord Chancellor's report, *p.* 73, *last par.*]. *P.* ½. *Signed.* Dated 20 Sep., 1660. *Ibid.* 105.

Same by the Earls of Cork and Kerry, John St. Leger, &c. [*see above, p.* 73, *last par.*], testifying as above. P. ½. *Signed* (*Hol.*). *by* the certifiers. *Endd. Ibid.* 106.

This concludes the documents relating to this case.

3 Nov. Whitehall. Sign Manual Warrant to Lord Chancellor Eustace.

Ordering that letters patent be drawn upon the Great Seal of Ireland, conferring upon Sir Wm. Aston, kt., the post of Second Justice of the King's Bench in Ireland. *P.* ⅔. *Countersigned by* Nicholas. *Add. and with seal. Ibid.* 107.

[5 Nov.] Petition to the King of Mary Taylor, widow, of Swords, co. Dublin, and of her son, John, showing that:—

During the late wars they were loyal and adhered to the Marquis of Ormond, "Lord Life-tenant" of that kingdom, paid contributions, &c. They were dispossessed by the usurper.
They pray for restitution, &c. *P.* ¾. *Endd.* with order, dated 5 Nov., referring the case to the Lord Chancellor of Ireland, *and also with*—

Report of Lord Chancellor Eustace on the foregoing Petition.

Gives an account of petitioner Mary's title, mentioning a deed of 1 June, 1622, made by her father-in-law, Michael, father of her husband John Taylor. Mary had held the lands under this deed, having survived her husband, and had, when desturbed, recovered them in the Court of King's Bench. Even if he had rebelled, John Taylor could not have forfeited her jointure, but as a matter of fact John Taylor was a very peaceable man, "wholly addicted to the study of the law insomuch as he was commonly known by the name of *Magna Charta*." The petitioners should be restored. *P.* 1. *Signed. Endd. Ibid.* 108 *and* 109.

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[5 Nov.] COPY of PETITION to the KING of LUKE BATH, of Dromconrack [Drumcondra], showing that:—

He was loyal and innocent of complicity in the late rebellion. He and his father supported the Royal cause in Ireland, in consequence of which the "Rump Parliament (so commonly called)" gave all his estate to Michael Jones, who died in actual rebellion against the King.

He prays for restoration. *P.* 1. *Underwritten with*—

Order, dated 5 Nov., referring the petition to the Lord Chancellor of Ireland, *and endd. with*—

REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

I have known petitioner's father to be loyal and have seen certificates [*here set out*] from the Marquis of Ormond and from Lord Moore and Sir Robert Byron testifying to his and his father's loyalty. I think the petition should be granted. *P.* ¾. *Signed. In all, pp.* 1¾. *Endd. S.P. Ireland* 304, 110.

5 Nov. Whitehall. SIGN MANUAL WARRANT to the ATTORNEY or SOLICITOR-GENERAL.

Directing them to prepare a bill for the Royal signature to pass the Great Seal for granting to Sir Thos. Armstrong, Kt., and his assignees, the office of the sole making of farthings in and for Ireland for 21 years. Usual conditions to be inserted. *P.* ½. *Countersigned by* Nicholas. *Ibid.* 111.

6 Nov. Whitehall. SIGN MANUAL WARRANT.

Directing that, in answer of the petition of Walter Plunkett, Esq., to whose loyalty the Marquis of Ormond testifies, he be restored to the towns and lands of Rickenhore [Riggenhore] and Sawcerstown, co. Dublin, formerly held of the King's predecessors. He shall have a lease of these, except in so far as they are in the hands of adventurers and soldiers, for 41 years, from the feast of St. Michael the Archangel last past at 40*s.* a year. The sheriff to maintain him in quiet possession. *P.* 1. Also another draft (*p.* 1) with sign manual dated — October. *Countersigned by* Nicholas [*see above, p.* 58]. *Add. with seal. Ibid.* 112 *and* 113.

Same. PETITION to the KING of CAPTAIN MARTIN WALSH, Adjutant of the King's Regiment in Flanders, showing that:—

Petitioner has loyally served the Royal cause. For his loyalty he spent three years in irons at Exeter, from whence he made his escape to Dunkirk and there joined the King's forces as a lieutenant under the command of Colonel Thos. Blagg, and fought at Dunkirk, where he was captured. He was afterwards made adjutant of the King's regiment and got a pass from the King for Spain, from whence he is now returned.

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He prays for restoration to three houses in the City of Waterford, and also to an impropriation or tithes in the parish of "Disertmoone, near Waterford" [Dysartmoone, co. Kilkenny[1]]. The lease of these fell in some years ago, and no soldier or adventurer has any pretensions to them. He prays for a lease of the tithes for ever. *P.* ½. *Underwritten with*—

Order, dated 6 Nov., 1660, referring the petition to the Lord Chancellor of Ireland, *and endd. with*—

REPORT of LORD CHANCELLOR EUSTACE on the foregoing PETITION.

The petition should be granted except as to the perpetual lease of the tithes. These have already been promised to the Church when the leases fall in by the general grant given to the Commissioners employed by the General Convention of Ireland. *P.* ½. *Signed.* With rough note attached of the letters to be written to the sheriffs of Waterford City and Kilkenny. *In all, pp.* 1½ *and a fragment. S.P. Ireland* 304, 114 *and* 114*a*.

[6 Nov.] PETITION to the KING of RICHARD, EARL OF CAVAN, and of OLIVER LAMBERT, sons of CHARLES, late LORD LAMBERT, deceased, showing that:—

Petitioner's father, as by duty bound, served the late King loyally from 23 Oct., 1641, as governor of Dublin, and in other high positions in the army in Ireland. He was laid aside by the late authority and suffered much. By the late rebellion his estate was wasted, and he lost the value of £43,000, as appears by proof on record in the Court of Exchequer in Ireland. Great sums are due to him for his and his father's entertainment.

Petitioner's father got from Charles I. the custody and farm of the manors of Artane *alias* Tartaine and "Baltrad" [Baltra], Clontarf, "Pluctstown" [Puckstown[2]], and "Midfield" [Gracefield[2]], co. Dublin, with a certain house in St. Mary Liberties, Dublin, by grant dated 13 April, 1647, under the Exchequer Seal of Ireland. These lands had escheated to the Crown by the treason and attainder of Nicholas and Christopher Hollywood. The custody was to last as long as the lands were in the hands of the King, with a rent to the King of £64 a year. The late pretended Government expelled petitioner's father from all these lands except Artane, on which they reserved a rack rent of £67 a year above contribution instead of the £6 which petitioner's [father] was bound to pay by the terms of the custody.

They pray for a grant of Artane to the petitioner Oliver and his heirs at a rent of £6 and the said residue of lands, &c. *P.* 1. *Underwritten with*—

Order, dated 6 Nov., referring the petition to the Lord Chancellor of Ireland, *and endd. with*—

(1) The fragment calendared in next paragraph corroborates this identification.

(2) Mr. Grattan Flood, who has kindly helped me with these identifications, suggests "Gracefield" or "Fairfield" for Midfield.—ED.

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REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

The petition should be recommended by the King to the Lords Justices and Council of Ireland who shall report as to what should be done. *Caveats* should meantime be entered at the offices here and there to prevent any of the lands petitioned for being passed until order can be given on the same petition. *P.* ½. *Signed. In all, pp.* 1½. *Endd. S.P. Ireland* 304, 115.

[6 Nov.] PETITION of RICHARD EUSTACE to the KING, showing that:—

Rowland Eustace, late of Blackhall, for good consideration settled his lands upon petitioner's father, Oliver, after his, the settlor's decease. Petitioner is heir to the settlor and to petitioner's father. Blackhall has been seized upon for no other reason than because Rowland was recusant, and petitioner is kept out of possession thereof.

He prays for a reference to the Lords Justices of Ireland, who may do right to him. *P.* ½. *Underwritten with—*

Order, dated 6 Nov., referring the above petition to Lord Chancellor Eustace, *and endd. with—*

REPORT by [the LORD CHANCELLOR] on the foregoing PETITION.

Confirms the facts. None of the lands in question are in the hands of adventurers or soldiers. The petition should be granted. *P.* ½. *In all, pp.* 1¼. *Endd. Ibid.* 116.

[7 Nov.] PETITION of MAURICE KEATING to the KING, showing that:—

Petitioner's father, lately deceased, has been a great sufferer for the King and his father, and laid out a considerable sum before the rebellion in Ireland on the purchase of lands in Ireland in co. Kildare, formerly belonging to James Wellesly, deceased. Petitioner also holds a lease from the King of a small village called Lippstowne, at the yearly rent of 20 nobles.

He prays for a grant of the lands so purchased in free and common socage. *P.* ⅔. *Underwritten with—*

Order, dated 7 Nov., referring the petition to Lord Chancellor Eustace *and endd. with—*

REPORT by the LORD CHANCELLOR on the foregoing PETITION.

Certifies petitioner's loyalty. Knows that he purchased the manor of Norragh More [Narraghmore], co. Kildare, by several conveyances in the nature of mortgages, which he has often seen. No part thereof is in the hands of adventurers or soldiers. The manor of Norragh More should be granted to petitioner in free and common socage, and a lease of the town and lands of Lipstowne for 21 years, paying twenty marks yearly instead of twenty nobles. *P.* ½. *Signed In all, pp.* 1½. *Ibid.* 117.

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10 Nov. Whitehall. SIGN MANUAL, directed to SIR JEFFREY PALMER, Attorney-General.

Directing him to prepare a bill for the Royal signature containing a grant of the office of Governor of the counties of Londonderry, Tyrone, Donegal, Fermanagh and Cavan, in Ireland, to Hugh Viscount Montgomery of the Ards, in the usual full manner. *P.* ½. *Countersigned by* Secretary Nicholas. *Endd. S.P. Ireland* 304, 118.

Same. The KING to the LORDS JUSTICES for ANDREW DOWDALL.

Ordering that he be restored to such of his lands in the baronies and Ferrard and Cooly, co. Louth, and elsewhere, as are not in the hands of adventurers or soldiers. *P.* ⅓. *S.P. Dom. Signet Office IV.* 209.

[10 Nov.] PETITION of COL. HENRY MARKHAM to the KING, showing that:—

Petitioner has been possessed of the town and lands of Confy in the co. Kildare for some years, for which he paid £600 (for 409 acres) to Alderman Richard Tighe. Tighe held them for a debt due to him and others from the Parliament [of Ireland] about 1642 or 1643. The former proprietor was indicted in Ireland and outlawed as a rebel in the first year of the rebellion, and has got land in Connaught.

He prays for confirmation in his lands. *P.* ⅔. *Underwitten with—*

Order, dated 10 Nov., referring this petition to the Lord Chancellor of Ireland, the Earl of Orrery, and Lord Kingston, *and followed by—*

COPY of the CERTIFICATE by the DUKE OF ALBEMARLE.

Certifies petitioner's loyalty and help in the Restoration. Petitioner took a letter from the Duke to the Lord Mayor of London. *P.* ⅔. Dated Cockpit, 3 Aug., 1660. *The whole, pp.* 1½. *S.P. Ireland* 304, 119.

12 Nov. Whitehall. COPY of SIGN MANUAL WARRANT to the SHERIFF of LOUTH and OTHERS.

Directing them, who are officers in the counties wherein the estate of Lord Louth and of his son Matthew Plunkett lies, to reinstate them in so much of that estate as is not in the possession of adventurers or soldiers. Matthew has served the Royal cause well. *Pp.* 1½. *Verified and countersigned by* Secretary Nicholas. *Ibid.* 120.

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[12 Nov.] Petition of James Fleming to the King, showing that:—

Petitioner took no military or civil employment during the late distractions in Ireland. Yet he was dispossessed of his estate, which was disposed of by the late usurped Government without giving him any compensation.

He prays that he may be inserted in the declaration to be made for the settlement of Ireland as a person restorable to his estate. *P.* ½. *Underwritten with—*

Order, dated 12 Nov., referring this petition to Lord Chancellor Eustace. *In all, p.* ¾. *S.P. Ireland* 304, 121.

13 Nov. Lord Chancellor Eustace to Secretary Nicholas.

Recommending that a permit be given, as required, to Alderman Bellingham to transport £30,000 from Ireland to England. He cannot otherwise return this sum for the King's public service and occasions, which he is bound by heavy bonds to do. *P* ½. (*Hol.*). *Add. Ibid.* 122.

[Same.] Petition to the King of Colonel John Fitzpatrick, showing that:—

Petitioner's father, Florence Fitzpatrick, about thirty years since, on his marriage, conveyed the manor of Castletown and several other lands in the Queen's County to the yearly value of £1,500, to certain trustees, so as the said Florence had at most but an equitable estate during his life therein. The remainder was settled to the petitioner and the heirs male of his body as eldest and first son of the said Florence, as by the said settlement may appear.

The said Florence, being comprehended in the articles of peace made by the King's authority, died in 1650, whereby the inheritance of the premises did remain to the petitioner as aforesaid.

Petitioner in his infancy, as well during his father's lifetime, as since his death, acted by commission from the Lord Lieutenant of Ireland against the rebels. He was so successful that he "held up" with a party of 3,000 or 4,000 men till the year 1652, when, hearing that there was no further hope of succour for the King's distressed subjects in Ireland, he surrendered upon articles with the "prevailing Government power of your adversaries," and by the purport thereof he was to enjoy his estate. He did so, but "restless of subjection to that usurped power, did together with 4,000 of his soldiers, transport himself into Spain with intention to find the means to serve your Majesty in order to your re-establishment." This appears by his loyalty to the King for eight years past and the address made by the Lord of Inchiquin [asking leave] to pass with his party wherever your Majesty should command. This offer was communicated to the Duke of York, the Lord Chancellor, and

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the Lord Steward, but the King not finding it convenient that he should leave the service he was in, he continued there ever since with the same fidelity to your Majesty, as Sir Henry Bennet, your Majesty's Resident in Spain, "hath and will testify."

He prays for re-establishment in his said estate. *P.* 1. *Endd. with—*

(1) Order, dated 13 Nov., referring the petition to the Marquis of Ormond, Lord Steward, and to Lord Chancellor Eustace, and

(2) Report of Ormond and Eustace thereon.

Col. Fitzpatrick was so active against Oliver's party that they were glad to "article with him" in 1651 that he should have all his estate of which he was seized before 21 Oct., 1641. He submitted to the peace made by your Majesty with the Irish, and ever since constantly adhered thereunto. Other facts are as in petition. He should be restored to all his lands, reprisals being given to those adventurers or soldiers to whom any part of them have been set out. *P.* ½. *Signed. In all,* 1¾. *Endd. S.P. Ireland* 304, 123.

14 Nov. Draft of the King to the Duke of Albemarle and the Lords Justices for Luke Gernon.

Ordering that letters patents be prepared for granting to Gernon the office of Chief Justice of Munster, with all dues, privileges, &c. *P.* ½. *Endd. Ibid.* 124.

[14 Nov.] Petition to the King of Edward Butler, Viscount Galmoy, showing that:—

Petitioner's grandfather, Sir Edward, Viscount of Galmoy, was faithful to the Royal cause, and petitioner's grandfather was slain in the King's service under the conduct of Sir Walter Dungan, both being employed in the King's service. Petitioner claims nothing from his father, but by virtue of a conveyance made some years before the rebellion by his grandfather whereby there was but a use for life limited to his said father with remainder in tail to the suppliant. By the oppression of the late power, petitioner was turned out of his possession though he was an infant and living in France during the rebellion. He had a small pittance set forth to him in Connaught of no great value.

He prays for relief. *P.* ½. *Underwritten with—*

Order, dated 14 Nov., 1660, referring the petition to the Lord Chancellor of Ireland, *and endd. with—*

Report of Lord Chancellor Eustace on the foregoing Petition.

It should be granted by restoring to petitioner the lands of Upper and Lower Grange and Baramont [Barrowmount], co. Kilkenny. Clauses for execution should be added. *P.* ¾. *Signed by* the Lord Chancellor. *In all, pp.* 1¾. *Endd. Ibid.* 125.

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General date 14 Nov.

DOCUMENTS RELATING TO THE CASE OF PATRICK SARSFIELD.

Copy [1] of Petition of Patrick Sarsfield to the King, showing that:—

Peter Sarsfield, late of Tullis, co. Kildare, whose heir the petitioner is, and William Sarsfield, of Lucan, whose heir he also is, having settled their estates on petitioner after their deaths, petitioner ought to enjoy them, and has done nothing to forfeit them. Sir Theophilus Jones has deprived him of the aforesaid lands of Lucan by colour of a grant from the late usurped power; and he has been deprived of the others in a similar way by one Daniel Hutchinson, alderman of Dublin. Petitioner was compelled to accept a small piece of land in Connaught which, in value, is not one-twentieth of his said estate.

He prays for restoration and that he be not prejudiced by having accepted land in Connaught. *P.* ¾. *S.P. Ireland* 304, 126.

Copy of further Petition of same, showing that:—

Petitioner and his father and uncle were loyal during the late wars. Petitioner has been restored to his lands by Charter under the Great Seal of England, but he is advised that he should have his name put in the Act now to be passed for the settling of Ireland. He prays that there may be such a clause reserving to him all the lands, &c., which he had on 22 Oct., 1641. *P.* ½. *Endd. Ibid.* 127.

Further Petition of Same.

Similar to the foregoing. *P.* ½. *Underwritten with*—
Order, dated 14 Nov., referring the petition to the Marquis of Ormond and Lord Chancellor Eustace, *and endd. with*—

Report of Ormond and Eustace on the foregoing petition.

We have seen a certificate signed by Lord Dillon, Sir Robert Byron, Sir Edward Crofton, and Daniel Treswell, testifying to the loyalty of William Sarsfield and of the petitioner. He should be restored to all his lands, except certain lands which have been granted to Henry Warren for 21 years, and of these lands he should have the reversion. The King by letters from Flanders to the now Earl of Mountrath, promised that Sir Theophilus Jones should have the lands of which he was then seized, or their equivelent, and Sir Theophilus was then seized of the town and lands of Lucan. Sir Theophilus should have lands of equal value elsewhere. *Pp.* 1¾. *Signed. In all, pp.* 2¾. *Ibid.* 128.

This concludes the documents relating to this case.

[1] *Note.* A document containing a petition is described as "Copy of a Petition," when there is nothing to show that it passed through official hands. Where there is evidence of its having passed through such hands, *e.g.*, by its having an order of reference signed by Secretary of State attached to it, it is described as "Petition of" so-and-so, even though the petitioner has not signed it.—ED.

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[Before 14 Nov.] PETITION to the LORDS COMMISSIONERS for the GOVERNMENT and MANAGEMENT of HIS MAJESTY'S AFFAIRS in IRELAND of CAPTAIN JOHN CAMPBELL, of LORD KILLOWNIE'S REGIMENT of HORSE, showing that:—

Five years ago petitioner had certain lands set out to him in the counties of Meath and Kilkenny for his arrears as due for his service against the rebels in Ireland and for other arrears purchased. These lands he quietly enjoyed ever since.

By a gracious declaration given under the Sign Manual and Privy Signet at Breda on $\frac{4}{14}$ April, 1660, and sent to the Duke of Albemarle for communication to the army, the King declared that all grants and purchases of any estate made to and by any officers, soldiers or others who were then possessed of the same, and that all things relating thereunto should be determined in Parliament. This promise was confirmed by a further letter of confirmation dated 26 May, promising special care to the soldiers under his Grace's command who had served in the King's interest.

Afterwards the King, noticing the interruptions given to several of the officers and soldiers by the Irish proprietors and others employed under them, put forth a proclamation quieting the possession of the soldiers and adventurers in Ireland till Parliament should take care therein, as by the said "Declaration letters" appears.

Nevertheless, Thomas Luttrell, of Luttrelstown, Esq., notwithstanding that petitioner has been in possession for five years of Moorstown [Mooretown] and Rowlistown [Rowlestown], co. Meath —which is a good title until petitioner is evicted by course of law— and notwithstanding he [Luttrell] has accepted lands in Connaught in lieu of these lands which he now enjoys, and notwithstanding that all who promoted the rebellion in Ireland are excepted out of the Act of Indemnity, dated 25 April, 1660, and that Luttrell is not excepted from the operation of that Act—has entered into possession of these lands under pretence of an order which upon misinformation he secured from the King, and detains them from petitioner.

Lord Mountgarret also threatens to dispossess petitioner of the rest of his estate which formerly belonged to him (Lord Mountgarret).

He prays for restoration and for freedom from disturbance by Luttrell, either till Parliament declares itself or till he be evicted by due course of law. To this he is entitled, even if he had no other title than bare possession. *P.* 1. *Endd. S.P. Ireland* 304, 129.

[About Same.] [1] PETITION to the KING of CAPTAINS FRANCIS KING and WILLIAM WEBB and LIEUTENANT WILLIAM NICHOLSON, showing that:—

They appeal on behalf of themselves and the rest of the officers and soldiers whose lots are fallen in the Lord Taaffe's and Mr. Fagan of Feltrim's lands in Sligo. In or about 1653 certain lands were set out to them for arrears due to them for service against the rebels, or for arrears which they had purchased. Upon these lands they have laid out about £2,500.

(1) *See* next document.

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They recite the Declaration of $\frac{4}{14}$ April at Breda and the subsequent letter from the King to the Duke of Albemarle, and the Whitehall Proclamation [*see foregoing*]. In spite of these Lord Taaffe and Fagan, upon an order obtained by misinformation from the King, have "forwarned"[1] the tenants to pay any rents to the petitioners and daily threatens to dispossess them.

They pray, &c., as in foregoing. *P.* ½. *Signed by* Ja. King, Wm. Webb, Francis King, John Houlder, Henry Hughes, Thos. Harte, Edw. Nicholson, Thos. Harlow. *Endd. S.P. Ireland* 304, 130.

14 Nov. Council Chamber in Dublin.

The Earl of Mountrath and Wm. Bury to Secretary Nicholas.

We send you two petitions [*the foregoing*].

We may observe that divers lands whereof the King has ordered possession to be given to certain people have already been set out to adventurers and soldiers. Some of those to whom the King has thus given restitution are possessed of lands in Connaught and Clare given them in lieu of those lands whereto they are now restored by the King's orders, so as now those persons receive the benefit of both. "Seeing we are entrusted here by the King for preserving the peace of this his kingdom we may not forbear to signify to you that by restoring so many persons to their former estates follows a great diminution of his Majesty's revenues, which we have hitherto applied towards payment of the army." We are not able to supply it, and this must necessarily occcasion disappointment in the army. Many of the officers and soldiers are at present troubled to find lands set out to them in payment of their arrears taken from them, and the possession thereof transferred to others without any course set down for reprisals to them. We do not know what the consequences of this will be, but shall do our utmost to prevent disorder. *P.* 1. *Signed. Add. Endd. in* Nicholas' *hand. Ibid.* 131.

16 Nov.

Petition of Godwin Swift to the King, showing that:—

The office of philizer for Ireland is void by the death of the philizer there.

Petitioner has always been faithful to the Royal cause. He prays for a recommendation to the "Commissioners for the Kingdom of Ireland" for this post. *P.* ½ *and p.* ½. *Original* [?] *and copy, the original underwritten with—*

Order, dated 16 Nov., referring the petition to the Lord Chancellor of Ireland, *and endd. with—*

Report of Lord Chancellor Eustace on the foregoing Petition.

The petition should be granted. *P.* ¼. *Signed. In all, pp.* 1¼, *and p.* ½. *Ibid.* 132 *and* 133.

[1] The word is spelt in the MS. as here, and is used in the sense of warning a person *not* to do a thing.

1660.

16 Nov. The Earl of Orrery, Lord Chancellor Eustace and Lord Kingston to the King.

The facts stated in Colonel Henry Markham's petition are true. He has been loyal and deserves favour and restoration. The lands mentioned in his petition were set out to Alderman Richard Tighe and others for a large debt due by the State for provisions for the army, and sold by them to Markham. If the King thinks these lands should be restored to the former proprietors, then Markham should have other forfeited lands of equal value. *P.* ⅔. *Signed. S.P. Ireland* 304, 134.

Petition of George Phillips to the King, showing that:—

Petitioner has expected anxiously some reward for his loyalty, which has been certified by the Duke of Ormond and Lord Chancellor Eustace. They testified that an estate of £1,500 a year had been spent in the King's service, and that a small estate which he has is encumbered with debt. His grandfather received a great estate from Charles I. He has received nothing and his own estate has been returned to those from whom it was recovered. He prays for a lease at a rent of the King's woods in the baronies of Loghenishelin [Loughinsholin] and Coleraine for 61 years. They have never yielded a rent to the King. *P.* 1. *Ibid.* 135. [1]

[17 Nov.] Further Petition of Same to Same, showing that:—

Petitioner's grandfather, Sir Thomas Phillips, was Governor of Londonderry under James I. and Charles I. He undertook a tedious suit for the King against the undertakers for breach of the Articles of the Plantation, overthrew the undertakers and regained the plantation for King Charles I., in whose hands it was when the rebellion broke out.

This suit cost Sir Thomas an estate of £2,000 a year. Petitioner has been impoverished by this and by the action of the late usurpers.

He prays for a part of the estate which he recovered or for other relief. *P.* ½. *Underwritten with—*

Order, dated 17 Nov., referring the petition to the Marquis of Ormond and Lord Chancellor Eustace, *and endd. with—*

Report of Ormond and Eustace on the foregoing Petition.

Testifies to the loyalty of petitioner and his family. As the Londoners' lands have been restored to them, he must receive his reward elsewhere. *P.* 1. *Signed by* Ormond and Eustace. *The whole, pp.* 2. *Endd. Ibid.* 136.

(1) Undated, but placed with next document for convenience.

1660.

General date 17 Nov.

DOCUMENTS RELATING TO THE CASE OF EDWARD MEARA, DOCTOR IN PHYSIC.

Petition of Edmund Meara, Phys. D., to the King, showing that:—

Petitioner was domestic physician to the Marquis of Clanricarde during the rebellion. He is loyal and is estated in the villages and lands of "Cron Juren, Monteagh,"[1] Lickeen and Claragh, co. Wicklow, which have been detained from him under authority from the late usurper.

He prays for restoration. His lands have not been given to adventurers or soldiers. *P.* ½. *Underwritten with*—

Order, dated 17 Nov., referring the petition to Lord Chancellor Eustace, *and endd. with*—

Report of Lord Chancellor Eustace on the above.

Sets out a recommendation of petitioner signed by Anne, Marchioness of Clanricarde, and recommends that the petition be granted. *P.* 1. *Signed. In all, pp.* 2. *Endd. S.P. Ireland* 304, 137.

Certificate of Anne, Marchioness of Clanricarde.

Edmund Meara, Phys. D., was during the troubles in Ireland domestic physician to her husband, and was loyal. *P.* ¼. *Signed.* Dated 16 Nov., 1660. *Ibid.* 138.

This concludes the documents relating to this case.

DOCUMENTS RELATING TO THE CASE OF THE ANCIENT INHABITANTS OF KINSALE.

General date 17 Nov.

Copy of petition to the King of the Ancient Inhabitants of the town and borough of Kinsale, showing that:—

Petitioners, on the beginning of the Irish rebellion, manifested their loyalty by adhering to the King's ministers and the English forces in the south of Ireland. Their services were many and certificates as to these are sent. They adhered to the peace concluded by the Marquis of Ormond and were protected by the President of Munster and other officers. Under Cromwell they were deprived of all their privileges and estates.

They pray for restoration of these. *P.* ¾. *Underwritten with*—

Order, dated 17 Nov., referring this petition to the Marquis of Ormond and Lord Chancellor Eustace, *and followed by*—

(1) Probably Cronyhorn and Moyntiagh co. Wicklow. Mr. Grattan Flood suggests Cronyhorn and Moneystown.

1660.

Copy of report by Ormond and Eustace on the foregoing petition.

They have considered this petition and have seen a report [*here set out verbatim*], dated 12 Nov., 1660, and signed by the Earl of Inchiquin. It states that when most of the corporations in Munster made defection at the beginning of the rebellion, the ancient inhabitants of Kinsale remained loyal. They remained steadfast during the whole time of his command in Ireland, and cheerfully afforded free quarter, &c., to soldiers, whilst they spent much on fortifications for the Army and Navy, more especially at the time when Prince Rupert was at that port.

They think that the petitioners' rights, &c., should be restored, except in the case of any who have been guilty of any act of rebellion subsequent to Cromwell's arrival in those parts. *Pp.* 1½. *In all, pp.* 2½. *Endd. S.P. Ireland* 304, 139.

Draft of the King to the Lords Justices for the Ancient Inhabitants of Kinsale.

Recites the facts of the petition, report and certificate of Lord Inchiquin, as stated above. They were dispossessed of their liberties and franchises by the usurped power merely for being Papists. The Lords Justices shall restore to their liberties, &c., all such of the ancient inhabitants as have not been guilty of rebellion since the time of their being dispossessed. *Pp.* 1½. *Endd. Ibid.* 140.

This concludes the documents relating to this case.

17 Nov. Petition to the King of James Eustace, showing that:—

Petitioner has always been faithful to the Royal cause, and, during the rebellion, contributed to the support of the Royal forces. Nevertheless, his lands have been seized upon and himself exposed to want.

He prays for reference to persons of honour, and for remedy. *P.* ½. *Underwritten with—*

Order, dated 17 Nov., referring the petition to Lord Chancellor Eustace, *and endd. with—*

Report by Lord Chancellor Eustace on the foregoing Petition.

Has considered the petition and seen a report [*given verbatim*] signed by Moore, Hoeth [Howth], John Stevens and Da. Truswell testifying to petitioner's loyalty. They recommend that he be restored to such of his lands as are not in the hands of adventurers or soldiers, and that the rest of them be subject to his Majesty's intended declaration regarding the several interests in Ireland. Recommends that he be restored to the town and lands of Confye, [co. Kildare.] *P.* ¾. *Signed. In all, pp.* 1½. *Endd. Ibid.* 141.

1660.

17 Nov. Whitehall. The KING to the LORD CHANCELLOR, the EARLS OF ORRERY and MOUNTRATH, Justices for the Kingdom of Ireland.

Sending the petition of the Earl of Cavan and of Oliver Lambart with the Lord Chancellor's report. The Lords Justices shall either afford the petitioners relief or shall report to the King on the true state of the affairs. Meantime, the lands of the petitioners shall not be disposed of. *P.* ½. *S.P. Dom. Signet Office IV.* 142.

[18 Nov.] PETITION of WILLIAM LORD HOWTH to the KING, showing that:—

Petitioner's grandfather had, at the time of the rebellion, let his Castle of Balldungann [Baldurgan] and lands thereto belonging to Thomas Fitzwilliams for certain years yet unexpired. This castle was garrisoned by the rebels, and when taken by the late King's forces was blown up [by the King's men] to prevent the rebels from re-garrisoning it. Petitioner lost by this destruction £2,000 at least. Fitzwilliams has forfeited his lease by joining in the rebellion at its outset.

Petitioner served the King under the "Lord of St. Albons" and Sir Edward Brett.

He prays for a grant of the term forfeited by Fitzwilliams. *P.* 1. *Underwritten with—*

Order as above, dated 18 Nov., referring this petition to the Lord Chancellor of Ireland, *and endd. with—*

REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

The petition should be granted. *P.* ½. *Signed. The whole, pp.* 1½. *Endd. S.P. Ireland* 304, 142.

General date 19 Nov. DOCUMENTS RELATING TO THE CASE OF CAPTAIN PHILIP CARPENTER, as follows:—

Copy of petition of Carpenter to the King, showing that:—

Petitioner has served the King and his father in several wars, and has suffered imprisonment for his loyalty. Although he has only done his duty he prays for the favour of a grant of the place of Sergeant-at-Arms in Ireland. *P.* ¾. *Endd. Ibid.* 143.

Sign Manual directed to the Attorney-General.

For granting to Philip Carpenter and Joshua, his son, or the longer liver of them, the place of one of the Sergeants-at-Arms in Ireland, with the usual and full fees, privileges, &c. *P.* ½. *Countersigned by* Secretary Nicholas. Dated Whitehall, 19 June, 1660. *Endd. Ibid.* 144.

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Further petition of Carpenter to the King, showing that:—

Carpenter has recently had conferred upon him the place or office of one of your Majesty's Sergeant-at-Arms, which was lately enjoyed by Robert Savile, Esq., together with the office of pursuivant of the Court of Exchequer, upon petitioner. The present office is "of a very small exhibition," and does not yield a competency for the petitioner's attendance.

He prays for a grant of the office of pursuivant enjoyed by his predecessors also. *P.* ½. *and p.* ⅔. *Original and copy, the original underwritten with—*

Order, dated 19 Nov., referring the petition to Lord Chancellor Eustace, *and endd. with—*

Report by Lord Chancellor Eustace on the foregoing petition.

Corroborates the facts and recommends that the petition be granted. *P.* ¼. *Signed. The original, in all, p.* 1; *the copy, p.* ½. *Both endd. S.P. Ireland,* 304, 145 *and* 146.

This concludes the documents relating to this case.

[19 Nov.] Petition to the King of Thomas Plunkett, of Bewly, showing that:—

Petitioner's father, in his lifetime, contributed to the maintenance of the King's army under the Marquis of Ormond, and died in 1643, leaving petitioner under age. He was never transplanted into Connaught. He prays for restoration. *P.* ⅔. *Underwritten with—*

Order, dated 18 Nov., referring the petition to the Lord Chancellor of Ireland, *and endd. with—*

Report by Lord Chancellor Eustace on the foregoing Petition.

Sets out a recommendation dated 19 Nov., signed by Lords Moore and Howth and Sir Thomas Armstrong. Recommends that the petition be granted as to such lands as are not in the hands of adventurers or soldiers. Any interest which can be found for the King in the premises should be reserved. *P.* ½. *Signed. The whole, pp.* 1½. *Endd. Ibid.* 147.

General date 20 Nov.

Documents relating to the Case of Walter Eustace, of Elverstown, as follows:—

Petition to the King of the heir of Walter Eustace as above, showing that:—

Walter Eustace, upon the breaking out of the late rebellion in Oct., 1643 [*sic*], served the King as an officer of horse under the command of Sir Henry Tichborne, Kt. For this he was much maligned by his countrymen and was afterwards surprised at

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night-time in his house at Elverstown and barbarously murdered. Yet Elverstown and his other lands were seized by Oliver the tyrant. The lands are in the King's hands and not in those of adventurers or soldiers.

The heir prays for restoration. *P.* ½. *Followed by*—

Order, dated 7 Nov., referring this petition to the Lord Chancellor of Ireland, *and endd. with*—

Report by Lord Chancellor Eustace on the foregoing petition.

Corroborates facts and recommends that the petition be granted. *P.* ½. *Signed. In all, pp.* 1½. *Endd. S.P. Ireland* 304, 148.

Draft of the King to the Lords Justices for the heir of Walter Eustace.

Directing that he be granted the town of Elverstown and such lands as were lately the property of Walter Eustace. *Pp.* 1¼. Dated Whitehall, 10[?] Nov. *Endd. Ibid.* 149.

Petition of Walter Eustace [heir to Walter aforesaid?] to the King, showing that:—

Petitioner has always served in Ireland under the command of his uncle, Sir John Sherlocke, against the rebels, and is, and has always been, a Protestant. Nevertheless, he was turned out of his estate by Miles Corbett and himself and his family exposed to much misery.

He prays for restoration to so much of his lands as are not in the hands of adventurers or soldiers, but in those of the King; that these lands may be put out of charge by the Lord Chief Baron; that so much of them as is in the hands of adventurers and soldiers may be subject to the intended Declaration regarding Ireland; and that the Lord Chancellor examine and do him equity in the matter of the unconscionable bargains which he has been forced to make. *P.* 1. *Followed by*—

Order, dated 20 Nov., referring this petition to Lord Chancellor Eustace. *Followed by*—

Report by Lord Chancellor Eustace on the foregoing petition.

Recommends that the petition be granted. *P.* ½. *Signed. In all, pp.* 1½. *Endd. Ibid.* 150.

This concludes the documents relating to this case.

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20 Nov. Whitehall. DRAFT of the KING to the LORDS JUSTICES for CHRISTOPHER ARCHBOULD.

Directing them to grant him by patent the towns and lands of Tymolyn [Timolin] and Kilrush in the co. Kildare, and of all the lands, &c., of which he has been dispossessed by the late usurper which are not in the hands of adventurers or soldiers. They shall issue a commission which shall inquire and report to the Court of Chancery what part of these lands are in the hands of adventurers or soldiers. This letter to hold good, notwithstanding any present or future Act or order to the contrary. *P.* ¾. *Endd. S.P. Ireland* 304, 151.

[20 Nov.] PETITION of ARNOLD POWER to the KING, showing that:—

Petitioner's father, Sir William Power, did good service in suppressing rebellions in Ireland in the time of Queen Elizabeth, and at the beginning of the late rebellion "being of very great age" protected the Protestants and declared for the King against the rebels. Petitioner succeeded shortly after as an infant, and though he was loyal his property was, "he being without father, friends or cost, disposed away by the undistinguishing violence of usurped power," for which he never had satisfaction. Petitioner is a Protestant and has served in the King's Irish army.

He prays for restoration. *P.* ½. *Signed. Underwritten with*—

Order, dated 20 Nov., referring the petition to the Lord Chancellor of Ireland, *and endd. with*—

REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

Sets out reports by the Marquis of Ormond dated 13 Nov., 1660, and by Lord Inchiquin dated 16 Nov., 1660, testifying to the loyalty of Sir William Power. Lord Inchiquin testifies that Sir William was captured by the rebels, who refused to exchange him, and that his son and heir, John Power, was wounded in service against the rebels.

The Lord Chancellor thinks the petition should be granted, reprisals being given to any adventurers or soldiers who are thereby injured. *P.* ¾. *Signed. The whole, pp.* 1¾. *Endd. Ibid.* 152.

20 Nov. Whitehall. DRAFT of the KING to the LORDS JUSTICES for MAURICE KEATING.

Ordering that letters be passed for granting him all the Royal interest in the town and lands of the Norragh [Narraghmore], Little Boly *or* Bolybegg, Killeene, Inchequire [Inchaquire], Skerrys and Ballimonty [Ballymany[1]], co. Kildare, being parcels or reputed parcels of the manor of Norragh. A demise shall also be made to him of the town and lands of Lipstowne, except in so far as any of these lands be in the possession of adventurers or soldiers. *P.* 1. *Endd. Ibid.* 153.

(1) Suggested by Mr. Grattan Flood.

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20 Nov. Whitehall. DRAFT of the KING to the LORDS JUSTICES for the CHURCH OF IRELAND.

Granting that all appropriate rectories, vicarages and tithes in that our kingdom which are in possession by the expiration of such leases as were formerly made thereof, and the reversion of all such as are yet in lease, and also all such appropriate rectories, vicarages and tithes as are vested in the Crown by the attainder of any persons convicted of rebellion who are not to be restored to their former estates, be conferred on the present incumbents and curates of the several churches to which the same belonged. They are to be created rectors or vicars according to the condition of such respective appropriations, and are to hold the same to them and their successors for ever. All lands, &c., which were held of any archbishop, bishop, dean or dean and chapter in that kingdom, and are now vested in the Crown by the attainder of any who are not to be restored as aforesaid shall be conferred on the respective archbishops, bishops, deans and deans and chapters of whom they were held. The ancient rents shall be reserved to the Crown. *P.* ¾. *Endd. S.P. Ireland* 304, 154.

20 Nov. Dublin. JEAN, COUNTESS OF MOUNTRATH, to the KING.

Praying the Royal favour for her brother [the bearer] and for the enclosed petition of her mother, Dame Jean Stewart. *P.* ½. (*Hol.*). *Add. Ibid.* 155.

[20 Nov.] COPY of the PETITION of MAURICE EUSTACE to the KING, showing that:—

Petitioner, being a Colonel of the Irish party some time after the breaking out of the rebellion, was informed that one who came into their quarters had come from Dublin as a spy. This being proved, petitioner, with the advice of his officers and according to the rules of war, ordered that he should be hanged, and the order was executed. Petitioner, having submitted to the King's peace, was for this offence brought to Dublin by the then usurped power, and brought to Dublin with a purpose to try him "in that which they called in Dublin a High Court of Justice." Petitioner, fearing the injustice of that court, which was "a slaughter-house of your Majesty's good subjects," found an opportunity to escape, and has been ever since concealed, "being hunted for his life by Sir Robt. Meredith, kt., one of Oliver's party, to gain his estate." However, petitioner escaped.

He prays for pardon for this act and for the offences committed in time of war, in accordance with the articles of peace. *P.* 1. *Underwritten with—*

Order, dated 20th Nov., referring the petition to the Lord Chancellor of Ireland, *and endd. with—*

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REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

Has considered this petition of Eustace "of Castlemartin," Esq. The law of nations and law of war justifies the act of hanging if the party hanged was in truth a spy. The petition should be referred to the Lords Justices of Ireland for examination of the facts. *P.* ½. *Signed. In all, pp.* 1½. *Endd. S.P. Ireland,* 304, 156.

21 Nov. Whitehall. DRAFT of the KING to the ATTORNEY or SOLICITOR-GENERAL.

We are resolved that such profits as shall be derived from the grant of licences for selling of wine and strong waters in Ireland shall be applied towards the maintenance of our army there. For the better ordering of the office and for granting licences for sale of such wines we are resolved to appoint Gilbert Mabbott to that office. You shall prepare letters for granting this office to Mabbott, and, at his nomination, to William Clarke, or the longer liver of them, during the lives of Gilbert and his son Kympton, in as full a manner as such office was formerly granted, obliging them to obey the orders of the Chief Governor and Council in the execution of the office and to send in a true account of their profits every half-year. Gilbert and Kympton shall keep £600 a year for their fee for executing the office. *Pp.* 1½. *Ibid.* 157.

[21 Nov.] PETITION to the KING of ROBERT, son and heir of EDMUND WASH or WALSH, of Castle Hoyle, co. Kilkenny, showing that:—

Petitioner was very young when his father and grandfather died before 1649, was stripped of his estate in co. Kilkenny, and got no satisfaction. His estate is, owing to his youth, possessed by persons claiming it by right under the late usurper.

He prays that his "custody and tuition" may be given to the Marquis of Ormond or some other person of "honour and relation to your suppliant," who may sue for and secure his right. *P.* ½. *Underwritten with—*

Order, dated 21 Nov., referring the petition to the Lord Chancellor of Ireland, *and endd. with—*

REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

It should be granted. The petitioner is a very near relation to the Marquis of Ormond. *P.* ½. *Signed. The whole, pp.* ¾. *Endd. Ibid.* 158.

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[21 Nov.] Petition to the King of Sir Francis Boteler, Kt., showing that:—

King Charles I. by patents, dated Dublin, 31 May, 1643, granted to petitioner all the goods and chattels owned by Wm. Archbold of Tymalin [Timolin], Christopher Archbold of the same, Richard Archbold of Flemington [Flemingtown], John Lee of Ratbridge [Rathbride?] and James Flatsbury or Flatsbery of Ducnancetowne [Dunganstown?], all in the co. Kildare, at the time of their attainder; these persons being indicted of high treason.

Petitioner has got no benefit of the grant, and it is a question whether a sum of money due to the said William, Christopher and Richard, or one of them, upon a mortgage of the town and lands of Kilrush, passes by the said grant.

He prays for a fresh grant of all the chattels and debts due to Archbolds, Lee and Flatsbury at the time of their attainder and that a special clause may be inserted for giving him the charge and estate mentioned above upon the town and lands of Kilrush. *P.* ¾. *Underwritten with—*

Order, dated 21 Nov., referring the petition to the Lord Chancellor of Ireland, *and endd. with—*

Report by Lord Chancellor Eustace on the foregoing Petition.

I think the petition should be granted, including a confirmation of the rights as mortgagee of Kilrush if that mortgage was only one for years; since, if so, it must have passed to Sir Francis by the original grant of Charles I. If, however, the mortgage was such as to give the mortgagee an estate of inheritance I do not think it should pass. Your Majesty upon a petition of Christopher Archbold, upon which I reported, has already decided that Christopher shall be restored to all the lands of inheritance of which William was seized and in particular to the lands of Kilrush. *P.* 1. *Signed. The whole, pp.* 1½. *S.P. Ireland* 304, 159.

21 Nov. Whitehall. The King to the Lords Justices for Martha and Robert Hartpoole.

On 10 Nov. we referred to the Marquis of Ormond, as Lord Chancellor, a petition of Martha and Robert, the widow and infant son and heir of Captain William Hartpoole, touching the disposal and detention of their estates by order of the usurped power. Their report upon this petition states that Captain William Hartpoole, the petitioner Robert's grandfather, was always loyal and submitted to our peace and was at the head of a troop of horse slain in our service at the storm of Drogheda. The same petitioner's father, William Hartpoole, was loyal to our service and served as captain of a troop of horse under the Marquis of Ormond during his government in Ireland, and was acting against Oliver's party until taken and executed by Colonel Axtell. The refereees considered that we were bound to settle petitioner in the estate of his father and grandfather. We direct that this shall be done. Clauses for execution. *Pp.* 2. *S.P. Dom. Signet Office IV.* 143-5.

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21 Nov. Whitehall. THE KING to the LORDS JUSTICES for PIERCE, LORD VISCOUNT OF IKERRIN.

The Marquis of Ormond and Lord Chancellor Eustace have reported on Lord Ikerrin's petition, which was referred to them on 6 Nov. last, that in the year 1636 petitioner's grandfather and father, Pierce, Viscount of Ikerrin, and James, Butler (in consideration of the marriage of James, who died before the rebellion in Ireland), settled their estate to themselves for their lives with remainder to the petitioner. This could not be forfeited, and petitioner after his father's death before the rebellion in Ireland was bred à Protestant in the University of Oxford and so continueth: and they are of opinion that petitioner should be established in possession of the manors of Talloe [Tallow], Lismallin [Lismalin] and Clonomilchon [Clonamicklon], and that reprisals should be given to any soldiers or adventurers occupying any of those lands. We order accordingly. Any charge put upon the estate by lease from the late power to be cancelled by the Baron of the Exchequer. *Pp.* 2. *S.P. Dom. Signet Office IV.* 145-7.

22 Nov. Whitehall. SAME to SAME for THOMAS GIFFORD, ESQ.

His father served the Royal cause gallantly, and he himself is worthy to fill the post of constable of Philipstown in reversion expectant on the death of Sir Robert Ford. We order you to grant him the post for life with the usual profits. *Ibid.* 152-3.

Same. DRAFT of the KING to the LORDS JUSTICES for certain CLERGYMEN in IRELAND.

On the recommendation of the Marquis of Ormond we have approved the following appointments:—

The Deanery of Christ Church, Dublin, to Dr. Robert Mossom.
" Elphin to Dr. Paman.
" Killaloe to Rev. Jasper Pheasant.
" Clogher to Mr. Hudson.
" Kilkenny to Charles Underwood.
" Ferns to Archdeacon Watson.
" Cashel to Essex Digby.
" Tuam to Hollinsworth.
" Limerick to Richard Boyle.
The Archdeaconry of Meath to Ambrose Jones.
The Deanery of Clonfert to Heaton.
" Connert [Connor] to Francis Marsh.
" Down to Thomas Baily.
" Cloyne to Ruggs.
" Cork and College and Rectory of Ringron [Ringrone] to Mr. Hackett.
" Ross to Mr. John Evelyn.
" Kilmore to Dr. Lewis Downes.

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The Prebend and Vicarage of Maynooth to Mr. Dumvile.
The Chantership of Limerick to Mr. Ledsham.
The Prebend of St. Michans to Daniel Nealand.
The Rectory of Cargaline [Carrigaline] to Roger Boyle.
The Archdeaconry of Elphin to Thos. Crofton.
" Derry to Holland.
" Kilmacduagh to John Pulleine.
The Rectory of Kilary [Killary] to John Matthews.
" Knockgraffan to Hind.
The Chancellorship of Christchurch to Charles Vaughan.
Mr. Ambrose Jones' dignity in Limerick to Heardman.
The Prebend of Swords to Roger Holmes.
The Archdeaconry of Gandelough [Glendalough] to Harwood.
The Prebend of Mulehydort [Mulhuddart] to Richard Portman.
The Deanery of Leighlin to Dr. John Potter.
" Emly to Daniel Wyttar.
The Treasurership of Christchurch and of the Church of St. Michael, Dublin, to Mr. Parry.
The Prebend of Rathangan, co. Kildare, to Mr. Charles Vaughan.
The Rectory of Traderry given in *commendam* with the Bishopric of Limerick.

All these ministers have attended many months and at great charges in expectation of having their dignities confirmed to them. We desire you to cause the usual patents, &c., to be passed for them, both for the dignities and the livings with the lands, &c., which belong to them. They may collect the rents, profits, &c., thereof as from 31 July last without sending any account to the King. *Pp.* 1¾. *Endd. S.P. Ireland* 304, 160.

[22 Nov.] Petition of Nicholas White to the King, showing that:—

Petitioner and his brother Arthur in 1639 became bound in £300 to Sir Richard Osberston, late Attorney General of Ireland. Osberston died and left Sir Gerald Lowther his executor.

In the usurper's "Court for administration of Justice (a court only ordained for the destroying of honest men)" Lowther, as party and judge, sued and decreed that petitioner should pay 5 per cent. on the loan for the time of the war and 6 per cent. till it was paid off. He put petitioner in prison for 14 months and compelled him to enter into a statute to perform the decree, though he knew that, owing to the rebellion, petitioner and his brother had made no profit out of their estate. Lowther also at the suit of Sir Robert Meredith decreed £300 against petitioner's father, Sir Nicholas White, for supposed damage done by petitioner's father's servants. In this decree petitioner is also interested.

He prays for relief. *P.* ¾ *and p.* ¾. *Two copies. Underwritten with*—

Order, dated 22 or 23 Nov., referring the petition to the High Court of Chancery in Ireland, who shall determine the cause according to justice and equity. *Ibid.* 161 *and* 162.

1660.

22 Nov. Whitehall. SIGN MANUAL WARRANT to the EARL OF ORRERY and LORD CHANCELLOR EUSTACE.

Directing them either to determine Lord Gormanstown's request, or to report to the King on it. Pending settlement Lord Gormanstown shall have a fitting allowance out of his estate. *P.* ⅔. *Add. S.P. Ireland*, 304, 163.

23 Nov. Whitehall. SIGN MANUAL WARRANT.

For granting to Thomas Stockton of Kiddington in Cheshire the office of third justice of the King's Bench in Ireland to be held during the King's pleasure. *P.* ½. *Countersigned by* Edward Nicholas. *Ibid.* 164.

[23 Nov.] PETITION to the KING of SIR ULICK BURKE, showing that:—

Petitioner waited on the Marquis of Clanricarde in the first year of the war to the relief of several of the King's garrisons in Connaught, his eldest son being then a captain of foot under his lordship's command. He served under Ormond and was with Clanricarde to the very last day, when he was besieged and made terms at Carrick McDermott. Petitioner then went to Flanders with Lord Dillon and awaited the restoration.

He prays for restoration. *P.* ½. With note signed by the Marquis of Ormond, and dated 23 Nov., 1660, certifying the truth of the above. *Ibid.* 165 *and* 165*a*.

[24 Nov.] PETITION to the KING of THOMAS GIFFORD, ESQ., showing that:—

Petitioner's father for his loyalty to the King was sent out of Ireland to West Chester [Chester] where he suffered about seven years' imprisonment. This brought him to an untimely death.

He prays for remission of his marriage and relief and for the profits of his father's lands. He died not by acting but by suffering for the King. *P.* ½. *Underwritten with*—

Order, dated 24 Nov., referring the petition to the Lord Chancellor of Ireland, *and endd. with*—

REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

The petition should be granted as to petitioner's marriage and relief, especially as the King has lately remitted all these duties by the Act of Oblivion. *P.* ½. *Signed. In all, p.* 1. *Ibid.* 305, 166.

DRAFT of the KING to the LORDS JUSTICES.

Thomas Gifford to be appointed constable of the fort of Philipstown King's County. *P.* 1. *Attached to foregoing. Ibid.* 166*a*.

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[About 24 Nov.] PETITION of CAPT. FRANCIS COGHLAN to the KING, showing that:—

Petitioner's father, Terence Coghlan, died in 1648, after the peace between the Marquis of Ormond and the King's Irish subjects, and having served under Ormond as Commissary General of the victuals. When he could no longer remain in Ireland owing to the power of the usurper Cromwell he went into foreign parts and took his eldest son (the present petitioner) with him. Petitioner's father died in Flanders, and petitioner lived there till the happy Restoration.

He prays for restoration to the estate of his father, from which he was dispossessed by the usurper. It has lately been in the hands of Gregory Clement, one of those who was lately put to death for the murder of Charles I. *P.* ½. *Underwritten with*—

Order dated 23 Nov. referring the petition to the Lord Chancellor of Ireland, *and endd. with*—

REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

Has considered the petition and read a certificate, dated Nov. 16, from the Marquis of Ormond which petitioner produced, and which says that petitioner was Commissary General of the victuals. Petitioner should be restored to his father's whole estate, reprisals being given to any soldiers or adventurers who enjoy part of it. He should be restored the lands of which Gregory Clement was possessed. *P.* 1. *Signed. In all, pp.* 2. *S.P. Ireland* 304, 167.

24 Nov. Whitehall. The KING to the LORDS JUSTICES for EDWARD COOKE.

Directing that he be appointed one of the Masters of the Chancery in Ireland. *P.* ½. *S.P. Dom. Signet Office IV.* 157.

[24 Nov.] PETITION to the KING of PATRICK and ROBERT, younger sons of VISCOUNT NETTERVILLE, deceased, showing that:—

They have always been loyal to the Royal cause. One of them was comprised in the articles concluded with the Marquis of Ormond in 1648, whilst the other fought for Charles I. in England and lost the use of his right hand and arm, and part of his fortune.

They pray for so much of their interest in land in Ireland as is not in the hands of adventurers or soldiers. *P* ½. *In hand of* Patrick, *and signed also by* Robert. *Underwritten with*—

Order referring the petition to the Lord Chancellor of Ireland. *Endd. with*—

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REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

The petition should be granted. If any of these lands are in the hands of adventurers or soldiers the rules laid down in the Declaration should be applied to them. *P.* ½. *Signed.* Dated 24 Nov., 1660. *The whole, pp.* 1½. *Endd. S.P. Ireland* 304, 168.

24 Nov. Whitehall. The KING to the LORDS JUSTICES for SIR GEORGE LANE.

Sir George long served Charles I. and the Marquis of Ormond, and for ten years has worked loyally as Clerk to the Privy Council. You shall pass letters for granting him all the lands, &c., of which Philip Hore of Kilsalghan, and John Cooke, who were attainted of treason, were seized. If it shall appear that we have no title to these lands, then a grant of lands of equal value elsewhere shall be made to him. *Pp.* 1¾. *S.P. Dom. Signet Office IV.* 148-9.

PETITION of THEOBALD DILLON to the KING, showing that:—

Petitioner's grandfather, Sir Lucas Dillon, for adhering to the first peace made in that kingdom to the Lord Lieutenant of Ireland was imprisoned by the Nuncio's faction in the Castle of Kilkenny. He remained there a long time. After the last peace in 1648 the Lord Lieutenant conferred upon him the employment of Vice-Treasurer, wherein he faithfully discharged his trust. He was in consequence put out of his estate by the late usurper, and died soon after. Petitioner's father had previously died in the King's actual service in command of a troop of horse, and the Marquis of Ormond knows that petitioner, being a child, had to rely on the charity of his friends.

He prays for restoration to his property as from June last. *P.* ½. *Followed by—*

Order, dated 15 Nov., referring the above petition to Lord Chancellor Eustace, *and endd. with—*

After 24 Nov. REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

He has considered the petition and has seen a report, dated 24 Nov., 1660, and signed by the Marquis of Ormond, certifying the facts therein stated to be true, and stating that petitioner never acted in the war. He thinks petitioner should be restored to his lands, the soldiers or adventurers being reprised for so much of them as they occupy. *P.* ¾. *Signed. In all, pp.* 2. *Endd. S.P. Ireland* 304, 169.

[25 Nov.] PETITION to the KING of JOHN CLARKE, showing that:—

He has always been loyal to the Royal cause, and supported the army in Ireland. Nevertheless his lands have been seized.

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He prays for a reference of his case to some person who may do him right. *P.* ½. *Underwritten with*—

Order, dated 25 Nov., referring the petition to the Lord Chancellor, who is to report as to what he thinks fit to be done therein. *P.* ⅔. *Endd. with*—

Report by Lord Chancellor Eustace on the foregoing petition.

He has considered the petition and has seen a report signed by John Steevens, Francis Butler and Edward Crofton testifying to his loyalty during the time of the Irish rebellion. His petition should be granted, reprisals being given to any adventurers or soldiers who are on his lands. *P.* ½. *Signed. In all, pp.* 1¼. *Endd. S.P. Ireland* 304, 170.

26 Nov. Whitehall. The King to the Lords Justices for Thomas Gifford.

Gifford's father suffered imprisonment in the Royal cause, and he himself is loyal. The value of his marriage and the profits of his father's lands shall be remitted to him. *P.* ½. *S.P. Dom. Signet Office IV.* 156.

Same. Sign Manual Warrant [to the Lords Justices.]

We have thought fit "to allow in our city of London such public presentations of tragedies and comedies as have been formerly permitted by our Royal predecessors for the harmless recreation and divertisement of such of our own subjects or foreigners as shall be disposed to resort to them, with a strict injunction that all such tragedies and comedies as have been formerly or shall hereafter be presented shall be purged and freed from all obseneness and profanes and so become instructive to morality in our people." Sir Wm. Davenant had a patent from Charles I. for erecting a theatre in London, and has lately been authorised to exercise that privilege. We direct that "in order to allow the same harmless recreations to our subjects in Ireland" you pass letters whereby Davenant may be authorised to erect or provide a theatre in Dublin, and the privilege be confirmed to himself and his heirs. As we have authorised two houses and no more to be erected in London we enjoin that one and no more be erected in Dublin "in consideration of the expenses necessary to that work." Sir William Davenant shall enjoy the office of Master of the Revels in Ireland during his life. *Pp.* 1⅓. *Countersigned by* Nicholas. *Endd. Ibid.* 171.

26 Nov. 3 Elms [*Three Elms Inn*] Shandoies [Chandos] St. Lord Massereene to Daniel O'Niel or O'Neale of His Majesty's Bedchamber.

We were kept so late this night in our attendances on the King that I could only now send you the enclosed. I hope that by your

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"improving the King's favour" you will produce the desired effect. When you have got the King's order of reference I will attend and do all I can to help in finishing your business. *P.* ½. *Followed by—*

NOTE that the King refers the petition of Daniel O'Neale, Esq., to the Lord Chancellor of Ireland and the Earl of Orrery, who are to inform themselves of the allegations in the petition mentioned. Finding them to be true, they are to send for Lord Massereene and such others as they find convenient, and either satisfy petitioner or report to the King, giving their views as to the best way of satisfying him. *P.* 1. *Endd. S.P. Ireland* 304, 172.

[26 Nov.] PETITION of THOMAS KENNEDY to the KING, showing that:—

Petitioner voluntarily enlisted under the Marquis of Ormond, and served faithfully under him till he delivered up the sword. He was afterwards compelled to gain a subsistence by the exercise of his pen and was chosen one of the clerks of the late general convention of Ireland. They ordered petitioner to be secretary to the Commissioners appointed to attend the King on his happy restoration, as may appear by the annexed certificate.

The King having declared that Commissioners are to be appointed for the settlement of Ireland by adjudicating upon certain claims limited in and by the [late] Declaration, petitioner prays for a grant of the office of register to the said Commissioners. *P.* ¾. *Underwritten with—*

Order, dated 26 Nov., referring the petition to the Lord Chancellor of Ireland for report, *and endd. with—*

REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

Advises that the petition be granted. *P.* ½. *Signed. In all Pp.* 1½ *followed by—*

REPORT by LORD CHANCELLOR EUSTACE, SIR JAMES BARRY, RO. STERLING, AU[DLEY MERVIN], WM. ASTON, THOS. ARMSTRONG, DAN. TRESWELL, JOHN STEPHENS and RICHARD KENNEDY.

They certify as to Kennedy's loyalty and service [*see foregoing*]. *P.* ½. *Signed. The whole, pp.* 2. *Ibid.* 173 *and* 173*a*.

[28 Nov.] PETITION to the KING by VISCOUNT GALMOY, showing that—

The King has restored petitioner to his lands in co. Kilkenny, part whereof was given to the traitor Ireton. The order contained no direction that the tenants and farmers who had any rents in their hands should pay them to your suppliant, which they are willing to do on sight of the King's order for it. He requests an order accordingly. *P.* ½. *Followed by—*

Order, dated 28 Nov., referring the petition to the Lord Chancellor of Ireland for his consideration, *and followed by—*

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REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

Recommends that the petition be granted. *P.* ½. *Signed. Endd. S.P. Ireland* 304, 174.

28 Nov. DECLARATION by EDWARD SMITH, WILLIAM HAWKINS, JOHN BLACKWELL, GEO. CLERKE *Jun.*, FRANCIS ARCHER, ALEX. BENCE, THOS. BARNARDISTON, GEORGE CLERKE [*sen.*], GILES HARDING and THOS. JUXON.

There was necessity, for securing the moneys adventured for lands in Ireland upon the ordinance of 14 July, 1643, to raise and engage for sums of money to pay the persons employed as counsel and agents in order to remove or obviate all such difficulties as in the past have or in the future may arise against the said adventurers. Certain persons thereupon engaged for £1,000 for the passing of his Majesty's declaration concerning the same. For the speedy advance of the said sums and other moneys necessary to be speedily disbursed for carrying on the service, we have considered the advantage which will accrue if the same be carried on, and how the money should be raised to carry it on, and we have decided that no less sum than eightpence *per* £1 advantage or improvement, over and above the principal money formerly adventured, will render the endeavour effectual as is desired. We have therefore put in our respective proportions according to that rate to Joseph Rewthorne, gent, who is by us desired and appointed to receive the moneys hereby proposed to be raised for carrying on this service, and to issue thereout such sums as he may be directed to issue by Viscount Massereene, Alderman Richard Waring, Alexander Bence, Edward Smith, Edward Harrison and Wm. Hawkins, Esqrs., George Clerke, *sen.*, George Clerke, *jun.*, Francis Archer, Elias Palmer, Thomas Brightwell, Giles Harding, Thos. Juxon, Josias Hurst, Wm. Hiccocks, Joshua Woolnoth, Thomas Barnardiston and Dr. Roger Drake or any three or more of them for the uses aforesaid, Joseph Rewthorne having given security for the faithful discharge of the trust. We recommend the persons undernamed to pay the sums put down opposite their names as they shall be applied unto for that purpose.

List follows of about 190 names [of adventurers under the Ordinance of July 14, 1643] with the sums which they are expected to pay. *In all, pp.* 4½. *Ibid.* 175.

[29 Nov.] PETITION to the KING of GARROTT FITZGERALD of the NURNY [NURNEY], showing that:—

Petitioner, though loyal to the King and his father, has been injuriously turned out of a small farm called the Nurny, co. Kildare, which he held by lease for years from the Bishop of Kildare, by the oppression of Miles Corbett. He prays for an order "repossing"

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him in the said farm till evicted by course of law, and that he may be left to take his remedy for the mesne profits thereof by course of law. *P.* ⅔. *Endd. with*—

Order, dated 29 Nov., referring the petition to the Lord Chancellor of Ireland, *and endd. with*—

REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

The King should direct his letters to the Chief Barons of the Court of Exchequer (where the wrong in this case is supposed to be done by Miles Corbett and the rest of the Barons there) ordering them to take steps for restoring petitioner to his lands, and for leaving the pretenders [to them] to their remedy at law. *P.* ½. *Signed. Endd. S.P. Ireland* 304, 176.

29 Nov. Dublin. The EARL OF MOUNTRATH to SECRETARY NICHOLAS.

As "my brother Coloony" [Lord Collooney] is to make a humble address to the King in behalf of myself and my friends for security of our estates, I send with him this letter to beg your assistance to him in his application. We are entirely dependent on the King's goodness, and although there are few of us but are dispossessed of part of our interests by the orders granted for restoring the former proprietors, yet we choose rather to wave any interest of our own than to hesitate in our obedience to the King. We ask that we may be secured in such part of our estates as the King may grant, and that for so much as is taken from us and restored to the former owners we may be given reprisals. My brother has already found the favour of your countenance in this and other of my concerns, which gives me courage to make this request. *P.* 1. *Signed. Add. Endd. in* Nicholas' *hand. Ibid.* 177.

29 Nov. The EARL OF ORRERY to the SAME.

In compliance with your instructions I perused the enclosed draft of the King's intended letters for settling the standing companies and troops in his army in Ireland and think it is very well. I believe formerly they were all granted for life and I know nothing to be observed against it now but only that since a reduction of the number of troops and companies is speedily intended, a patent for life may hinder the executing of that design. But possibly if the King is resolved, as fast as captains die or are cashiered, to reduce their troops and companies, that course may speedily bring the army to the desired number. Therefore I humbly conceive the King's pleasure must be known therein, and that all will cheerfully submit. If the regiments were agreed upon, it might do well that every captain in his patent might know whose regiment he is of: but that I doubt cannot now be done and 'tis not fit that the work should stay only for that which may be well enough done on the place.

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I return you the two lists with two changes made by the General. Colonel Hill's company is struck out and given to Mr. Power, son-in-law to my Lord Valentia, as the General has got Colonel Hill a ward of soldiers in his house, which is all he desires. The other is Lieutenant-Colonel Beverley Ussher, whose company is by the General given to the Lord Ossory, and Ussher to command it, and my Lord Ossory to have Colonel Thomas Coote's regiment and Colonel Thomas Coote to be his lieutenant-colonel. I moved the General herein, it being an omission that my Lord Ossory should be unprovided for: so that now, the whole being done, I beg the letters may be expedited, and let everyone have a distinct letter for the reasons given. *P.* 1. (*Hol.*). *Add. Endd. in* Nicholas' *hand. S.P. Ireland* 304, 178.

General date 30 Nov.

DOCUMENTS RELATING TO THE CASE OF JOHN GAYDON.

Petition to the King by John Gaydon, Esq.

Petitioner always adhered to the Marquis of Ormond, and during that time and ever since behaved himself civilly and inoffensively, and was employed by his Excellency as deputy commissary of victuals for the army. His estate lies in the co. Dublin and co. Kildare and is now in the King's hands. His demeanour is well known to the Lord Chancellor of Ireland and other persons of honour in this city. He prays for restoration as from June last. *P.* ½. *Underwritten with—*

Order, dated 14 Nov., referring the petition to Lord Chancellor Eustace, *and endd. with—*

Report by Lord Chancellor Eustace on the foregoing petition.

I have considered the petition and has seen a report [*given verbatim*], dated 23 Nov., and signed by the Marquis of Ormond, testifying to Gaydon's loyalty, and another report [*given verbatim*], dated 14 Nov., 1660, and signed "Dillon, Taaffe, Robt. Berron, John Stephens, Dan Treswall, Walter Plunckett, Edward Crofton, Miles Power, Robert Edgeworth," testifying in the same way. He was my neighbour in the co. Kildare and behaved inoffensively when the whole county was in disorder. I recommend that letters go to the Lords Justices and Council for granting his petition, except so far as they think not fit. If they think it so, they shall certify the King of what they think unfit. *P.* 1. *Signed. In all, pp.* 1¾. *Ibid.* 179.

Copy of Sign Manual Warrant to the Lords Justices of Ireland.

For granting to John Gaydon quiet possession of such of his lands in Kildare and the city of Dublin as are not in the hands of adventurers or soldiers. Clause for execution. *P.* 1. Dated Whitehall, 30 Nov., *with counter-signature* (*copy*) *of* Nicholas. *Endd. Ibid.* 180.

This concludes the documents relating to this case.

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30 Nov. Whitehall. COPY of SIGN MANUAL WARRANT to the LORDS JUSTICES and MASTER of the COURT of WARDS for MARY STEWART.

We understand that the Baron of Castlestewart in Ireland left Mary Stewart, his daughter and heir, she being a minor. We order that Roger, Earl of Orrery, have the wardship of the body and estate of the said Mary Stewart in as full a manner as usual. *P.* ⅔. *With countersignature* (*copy*) *of* William Morice, *and add.* to the Lord Justices and Master of the Wards in Ireland for the time being. *S.P. Ireland* 304, 181.

30 Nov. PRINTED COPY of "His Majesty's Gracious Declaration for the settlement of his Kingdom of Ireland and satisfaction of the several interests of adventurers, soldiers, and other his subjects there," with the order of the Privy Council (of above date) for its printing. London, 1660, printed by John Bill, Printer to the King's Most Excellent Majesty, at the King's Printing House in Blackfriars. *In all, pp.* 35½. *Ibid.* 182.

30 Nov. Whitehall. COPY of SIGN MANUAL WARRANT to the LORDS JUSTICES.

For granting to Phelim McGenes [M'Genis], of whose loyalty the King has received satisfactory proof, quiet possession of so much of his real and personal estate as is in the King's hands and not in those of adventurers or soldiers. For such lands as they possess, the adventurers and soldiers shall forthwith receive reprisals and the petitioner shall be settled in enjoyment of his estate. *P.* ⅔. *with countersignature* (*copy*) *and certificate of* Nicholas. *Endd. Ibid.* 183.

30 Nov. Birr. CAPTAIN JOHN WEBSTER to the EARL OF MOUNTRATH.

On the 26th one John Legg, a soldier in Capt. Rose's troop, brought to me a priest, whose name is Conner Ryane. I received and secured him to be kept until he could be dealt with according to law by a Justice of the Peace. The paper enclosed I found about him, which I considered to be of such dubious interpretation that I thought it my duty to send it to your lordship. I shall in this and all other matters be ready to observe your lordship's commands. *P.* ¾. *Add. Endd. Ibid.* 304, 184. *Enclosing:—*

John Hackett to Conner Ryane.

"*Sir: The application concerning the common good is now on foot, and to be forwarded forthwith, if the parties herein concerned will contribute according the sums annexed to their respective names as appeared by the list you received formerly; but it is necessary that*

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prudence and discretion be used on such a business. Let none fail as they tender their own good. Expecting speedy payment from those in your quarters, I remain your friend and servant,

John Hackett."

P. ¾. Dated 8 Nov. *Add. and written on back of another letter of which only a fragment appears. S.P. Ireland* 304, 184*a*.

[30 Nov.] PETITION to the KING by GEOFFERY or JEFFERY FAY, showing that:—

He has been dispossessed of his town, lands and estate of Harbertstown by the tyranny of Miles Corbett "for no other cause but his being a Papist, which is no way warranted by the laws of God or man." He prays for an order "repossing" him of his lands [they] being in the King's hands and not in those of adventurers or soldiers. *P.* ½. *Underwritten with*—

Order, dated 30 Nov., referring the above petition to the Lord Chancellor of Ireland, *and endd. with*—

REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

Geoffrey Fay was a very innocent man during the late rebellion. When most of the inhabitants of the county in which he lives were indited and outlawed of high treason, there was nothing objected against him. He was turned out of his estate by the usurped power, and has for many years been kept and maintained in my house with clothes and diet, otherwise I believe he would have starved. He should be restored to his lands, reprisals being given to such of the adventurers or soldiers as are in possession of any of them. *P.* ½. *Signed. In all, pp.* 1½. *Endd. Ibid.* 185.

[31 Nov. *sic.*] [1] PETITION to the KING of THOMAS FITZGERALD, of "Tumocho" [Timahoe], co. Kildare, showing that:—

Petitioner was innocent of any share in the late rebellion in Ireland, and supported the Royal cause there. Nevertheless he was dispossessed of his estate and has with his family long lived upon the charity of well disposed Christians. He never took lands in Connaught or transplanted himself there, as he patiently expected the King's miraculous restoration.

He prays for a reference to persons of integrity who may inform themselves of the truth of the premises and recommend a course to do him justice. *P.* 1. *Endd. with*—

Order, dated 28 Nov., referring the petition to the Lord Chancellor of Ireland, *and with*—

(1) See next document.

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REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

Has considered the petition and seen a report signed by the Earl of Inchiquin testifying to the help given by petitioner to his forces at the time of their march into Leinster. This certificate is dated 31 Nov. [*sic*] 1660. He should be settled in his lands, reprisals being given to such adventurers or soldiers who are now in possession of any part of them. *P.* ⅔. *Signed. In all, pp.* 1¾. *S.P. Ireland* 304, 186.

General date 30 Nov.

DOCUMENTS RELATING TO THE CASE OF JOHN TALBOT, of Malahide, co. Dublin.

Petition of Talbot to the King, showing that:—

He lived inoffensively during the late wars and contributed to Ormond's army. In 1651 he assisted Dean King, envoy from the King to the Marquis of Clanricarde, to escape from Ireland to the Isle of Man by the assistance of his [petitioner's] fishermen. For this action he was imprisoned by the usurper and his estate given to Miles Corbett, but was afterwards released and transplanted to Connaught.

He prays for restoration. *P.* ½, *p.* ½, *and p.* ¾. *Original and two copies, each underwritten with—*

Order, dated 15 Nov., referring the petition to the Marquis of Ormond and Lord Chancellor Eustace, *and endd. with—*

Copy of report of Ormond and Eustace on the foregoing petition.

They recommend that it be granted. *P.* ¾, *p.* ¾, *and p.* 1¾. *One copy is further accompanied by—*

Copy of Sign Manual Warrant to the Lords Justices for John Talbot.

Directing that he be restored to such of his lands as are in the King's hands. Clauses for reprisals. *Certified* (*copy*) *by* Nicholas. *P.* ½. *The whole three documents pp.* 2, *pp.* 1½, *and pp.* 2½. *Ibid.* 187, 188, *and* 189.

This concludes the documents relating to this case.

[30 Nov.] PETITION to the KING of MAURICE FITZGERALD, of Osbardstown [Osberstown].

Protests his loyalty to the Royal cause and begs for restoration to the estate of which he has been dispossessed. It is not in the hands of adventurers or soldiers. *P.* ¾. *Followed by—*

Order, dated 30 Nov., referring this petition to the Council of State. *Countersigned by* Nicholas, *and endd. with—*

1660.

REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

Recommends that it be granted. *P.* ½. *Signed. In all, pp.* 1½. *S.P. Ireland* 304, 190.

30 Nov. Whitehall. DRAFT of SIGN MANUAL WARRANT to the LORDS JUSTICES OF IRELAND.

For granting to the Marquis of Ormond by letters patents under the Great Seal of the Court of Wards there the custody and wardship of Robert Walsh, son and heir of Edmond or Edmund Walsh, of Castlehoyle, co. Kilkenny, without rendering any rent or fine for the same. *P.* ½. *Endd. Ibid.* 191.

30 Nov. DRAFT of the KING to the LORDS JUSTICES for NICHOLAS D'ARCY.

A report by the Lord Chancellor on the petition of Nicholas D'Arcy of Plattin, shows that, by the testimony of several persons of honour and quality, he has given sufficient testimony as well of his affection to the English interest as of dissatisfaction with the late horrid rebellion. He thereby underwent many pressures and sufferings. In consideration thereof we order you to restore him to his lands. Usual clauses for execution (*see below at* 2 *Jan.*, 1661, *note*) and also one for saving to the Crown such right, &c., as counsel to the Crown of Ireland shall be able to make good for it. *Pp.* 1¼. *Endd. in* Nicholas' *hand. Ibid.* 192.

Nov. DRAFT of the KING to the LORDS JUSTICES for SIR JAMES BARRY, Kt., Sergeant at Law in Ireland.

Ordering that he be appointed Lord Chief Justice of the King's Bench in Ireland. *P.* ⅔. *Endd. Ibid.* 193.

Same. SAME for HENRY ROCHFORD.

Sir Maurice Eustace, to whom Rochford's petition was referred, testifies to his loyalty and to the fact that two of his brothers were slain in the King's service. He is to be restored to the considerable estate in Ireland of which he has been dispossessed, and which has descended to him from his ancestors, except such as are soldiers' or adventurers' lands, with the mesne profits of the said lands from 24 June last. Clauses for execution (*see below at* 2 *Jan.*, 1661, *note*). *P.* ⅔. *Endd. Ibid.* 194.

[Nov.] PETITION to the KING of CHRISTOPHER EUSTACE of Newland, showing that:—

Petitioner has always been true to the Royal cause and readily accepted the articles of peace published in Ireland. He has since

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constantly adhered thereto. Yet his lands in co. Kildare have been taken from him and he and his children reduced to a condition of starvation. He prays for restoration to such of his estate as is in the King's hands and not in those of adventurers or soldiers, and that for the rest it may fall under the same rule which is set down in the King's intended Declaration for Ireland. *P.* ¾. *Followed by—*

Order, dated Nov., Whitehall, referring the petition to Lord Chancellor Eustace for his report. *Countersigned by* Nicholas, *and endd. with—*

Report by Lord Chancellor Eustace on the foregoing Petition.

He testifies to the loyalty of Christopher Eustace. More might have been said for him than is said in the petition. It should be granted. *Pp.* 1¼. *Endd. S.P. Ireland* 304, 195.

Draft of the King to the Lords Justices for Christopher Eustace.

Ordering that his lands be restored to him by an effectual grant. He is to hold them of the Crown by the rents, &c., by which he formerly held them. A commission shall issue to discover what part of the said lands are in the hands of the adventurers or soldiers and shall make return thereupon to the High Court of Chancery in in Ireland. *P.* ¾. Dated Nov. *Endd. Ibid.* 196.

Nov. Whitehall. Same for Captain John Bartlett.

Sending Bartlett's petition and ordering that it be considered at once as the loyalty of the petitioner merits. The Lords Justices are to do him justice and not to omit to employ him, he being a faithful subject of the King. *P.* ½. *Endd. Ibid.* 197.

Same. Same for George, son of Sir Luke Fitzgerald.

George Fitzgerald has petitioned for restoration to the estate of which he has been dispossessed. The Marquis of Ormond and Lord Chancellor Eustace have testified to his loyalty. He is to be restored to so much of his lands as are in the King's hands and not disposed of to adventurers or soldiers. The sheriffs to assist him. *P.* ½ *and p.* ⅝. *Two copies, both endd. Ibid.* 198 *and* 199.

Same. Same to Same for Maurice Eustace, of Castlemartin, Esq.

Ordering that he be pardoned for causing one to be hanged in the first year of the rebellion whom he thought to be a spy. The act was done *furore belli. P.* ¾. *Ibid.* 200.

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DRAFT of the KING to the LORDS JUSTICES for "MAD CAPTAIN CHRISTOPHER EUSTACE."

In his declaration to the Commissioners sent to Court by the General Convention of Ireland the King declared his intention that Christopher Eustace, "commonly known by the name of mad Captain Eustace there," should be restored to all the lands whereof he or his father were dispossessed by the late tyranny. The custody and care of madmen and idiots belongs to the King. Lest this mad person should "in his mad fit dissipate or make away" his property, the King commits him to the care of Lord Chancellor Eustace. Letters are to be drawn for granting his estate to the Lord Chancellor in trust for the madman at the accustomed rent. *P.* ¾. *Endd. in the hand of* Lord Chancellor Eustace. *S.P. Ireland* 304, 201.

SAME to SAME for RICHARD EUSTACE.

We are assured of his loyalty and of his good right and title to the lands of Blackhall and other lands lately belonging to Rowland Eustace of the same place. For the remedy of all doubts and questions which might hereafter arise upon his title or otherwise, we order you to grant to Richard such lands as lately belonged to Rowland. No lands in the hands of adventurers or soldiers are, however, to pass by colour of these letters. *Pp.* 1¼. *Endd. Ibid.* 202.

Nov. Whitehall. SAME to SAME concerning scarcity of coin in Ireland.

We are informed that there is a great scarcity of coin in Ireland "which, if true, must be the occasion of the decay of trade and very great inconveniences which usually accompany the same: and it hath been offered unto us by some as an expedient for the present to raise such outlandish coin as is now current there to a higher value and to depress that part thereof which is of the baser sort to a less value." You shall take the premisses into your consideration, and, in concert with your Council, to do what you find most expedient for the public. You shall suggest to us ways and means by which coin may be brought into the kingdom. *P.* ¾. *Endd. Ibid.* 203.

Same. DRAFT of the KING to THOS. PIGOTT, Master of the Court of Wards and Liveries in Ireland.

Directs him to issue a commission to inquire into the King's title to the wardship of Nicholas Purcell, of Loughmay. If a title be discovered for the King then a grant of the wardship of Purcell is to be made to the Marquis of Ormond, who is the uncle of Purcell, without any fee paid to the King. *P.* ¾. *Endd. Ibid.* 204.

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Nov. Whitehall. DRAFT of the KING to the LORDS JUSTICES for ANDREW DOWNALL [DOWDALL].

Downall, of whose loyalty the King has good testimony, suffers much by being kept out of his estate in the baronies of Ferrard and Cooly [Coolock?]. Upon his petition he is to be restored to these lands and to the rest of his estate in Ireland which is not in the hands of adventurers or soldiers with the mesne profits thereof from 24 June last. The sheriffs in the counties in question to assist him. *P.* ¾. *Endd. S.P. Ireland* 304, 205.

[After 24 Nov.] PETITION to the KING of COL. CHRISTOPHER BRIEN, showing that:—

He has been loyal to the King both in Ireland and abroad and was expelled from his estate for his loyalty. He prays for restoration to his estate in Clare, long withheld from him by the late power. *P.* ½. *Underwritten with*—

Order, dated 19 Nov., referring the petition to the Lord Chancellor of Ireland, *and endd. with.*

[Same.] REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

Sets out a report, dated 24 Nov., 1660, and signed by the Earl of 'Inchiquin, Clancarty,' testifying to the truth of the facts stated above. Petitioner served well in Ireland and brought a regiment to France and Spain where he has since served whilst awaiting the restoration. He should be restored, with saving of the Crown's right and reprisals to adventurers who possess his lands. *P* ⅔. *Signed: In all, pp.* 1½. *Endd. Ibid.* 304, 206. [This document was discovered too late for insertion in the dated papers of Nov., 1660.]

[Nov.] PETITION to the KING of NICHOLAS D'ARCY, of Plattin, showing that:—

Petitioner is of ancient English extraction, and his predecessors have at all times been loyal to the Crown of England. Since the beginning of the rebellion petitioner, his children, and grandchildren constantly adhered to the royal cause, and petitioner's grandson engaged in Sir George Booth's design, for which he suffered a long imprisonment. He served the King faithfully abroad, and for this reason his whole estate was taken from him by the late usurping tyrannical government.

He prays for re-investment in all his estate. *P.* ¾. *Underwritten with*—

Order, dated Nov., referring the petition to the Lord Chancellor of Ireland for consideration and report, *and endd. with*—

REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

I have considered the petition of D'Arcy, "whom I have known since his childhood, being bred up with him in Trinity College,

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near Dublin." I have seen a certificate signed Wm. Aston, and dated 11 Oct., 1660, stating that Aston had known him since July, 1647, and had quartered for two years together within three miles of the dwelling house of Mr. D'Arcy, that during that time he adhered to the English interest, opposed the rebellion, and contributed to the support of Ormond's Army. I have also seen another certificate signed "Ormonde, Maurice Eustace, *Canc.*, Moore, Montgomery, Thomas Armstrong," testifying in a manner similar to the other. The petitioner should be restored to his lands. Usual clauses for execution. The old rent to the King should be reserved. *P.* 1. *Signed. In all, pp.* 2. *S.P. Ireland* 304, 207.

Nov. DRAFT of a LETTER from the KING to the GOVERNOR or GOVERNORS of IRELAND for the time being.

Authorising them to make to ——— a grant to command a standing troop in Ireland with usual "allowances of salary and pay." *P.* ⅔. *Endd.* Nov., 1660. *S.P. Ireland* 305 208.

END OF S.P. IRELAND 304.

Same. DOCQUETS for Nov. 1660, as follows:—

Docquet of grant of the office of clerk of the peace of Dublin to John Avery, gent., during his life. 2 *lines. S.P. Dom. Docquets, Vol.* 19, *p.* 59.

Same. Same. The ferries of Youghal and Wexford to Alex. Shenton, gent., for 21 years from Michaelmas last, at a rent of £10 10*s.* payable half yearly. 4 *lines. Ibid.*

Same. Same. The King's first fruits and tenths in Ireland to Richard Cooper, gentleman, during his life. 3 *lines. Ibid.*

Same. Same. The High Treasurership of Ireland to the Earl of Cork for his life. 3 *lines. Ibid. p.* 60.

Same. The office of Sea master, for the overseeing, searching and trying of all manner of leather dressed and tanned in Ireland, granted to Sir Thomas Allen, Kt. and Bt., during his life. 4 *lines. Ibid.*

Same. Same. The office of taster of all wines and liquors imported into Ireland and of surveyor of butts and defects of the same to William and Robert Reading. 3 *lines. Ibid. p.* 61.

Same. The office of lieutenant of his Majesty's ordnance and ammunition in Ireland to Albert Conyngham, Esq. during his life. 4 *lines. Ibid. p.* 62.

S.P. IRELAND 305.

1660. **1660.** DECEMBER, &c.

1 Dec. PETITION to the KING of SIR TIMOTHY TYRRELL, KT., and of ELIZABETH his wife, sole daughter and heir of the late ARCHBISHOP of ARMAGH, showing that:—

The late Archbishop made a lease for years to Sir Edward Bagshor [Bagshawe] of certain lands in Finglas in the co. Dublin, which lease is by some means derived and come unto one Hewlet, by whose treason it is forfeited to the King. They pray for a grant of so much of the lease as thereby came to the King. *P.* ½. *Underwritten with—*

Order, dated 1 Dec., referring the petition to the Lord Chancellor of Ireland, *and endd. with—*

REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

The lease to Bagshawe is forfeited, but the rent reserved in it still payable, so that it would be a work of mercy to grant the petition. *P.* ½. *Signed. The whole, pp.* 1½. *S.P. Ireland* 305, 1.

[1 Dec.] PETITION to the SAME of FRANCIS, son of JOHN LEIGH, of Rathbride, co. Kildare.

Petitioner's father never joined in the rebellion, adhered to the peace of 1648, and left Ireland during the period of Oliver's power, dying abroad. Petitioner was under years at his father's death, and has always been loyal. He was bred a Protestant in the service of Mr. Knight, a King's Counsellor at Law. His lands were seized by the malpractices of Miles Corbett, and his brothers and sisters exposed to great hardships. He prays for a reference to competent persons, who will report on his deserts. *P.* 1. *Underwritten with—*

Order, dated 1 Dec., referring the petition to the Lord Chancellor, *and endd. with—*

REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

Sets out reports by Lord Inchiquin, dated 28 Nov., 1660, and by George Walters, dated 8 Nov., 1660, testifying to petitioner's loyalty and to the fact that he went beyond seas with Sir John Dongan's force when it was expatriated. The petition should be granted. Clause for reprisals suggested. *Pp.* 1. *Signed. The whole, pp.* 1¾. *Endd. Ibid.* 2.

1 Dec. LORD CHANCELLOR EUSTACE to SECRETARY NICHOLAS.

I send you the enclosed draft of a letter by order of my Lord Steward to be presented this morning to the King, if you have opportunity to wait on his Majesty, to be signed. I beseech you

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to present it, as it is for the King's special service, and to supplicate his Majesty that I may be allowed an audience before I go for Ireland, when I may thank him for his favours. *P.* ¾. (*Hol.*). *Add. Endd. in Nicholas' hand* with note, *inter alia*, that Eustace desires the third judgeship of the Common Pleas for Robin Booth, Esq. *S.P. Ireland* 305, 3.

1 Dec. Dublin. VISCOUNT MONTGOMERY of the Ards to SECRETARY NICHOLAS.

Since coming here I have endeavoured to understand the employment which the King has given me in order that his Majesty's service may be more efficient and the charge thereof be lessened. I have considered the old establishment of the train [of artillery] and find that if that only be continued his service will be "wholly disappointed," the train and stores being much more noble and great than formerly. I have perused the establishment made by Sir John Borlase and the Irish justices when neither train nor stores were near so great, and yet in my judgment conceive it were both unnecessary and unreasonable either to continue that or the present charge. For the very gunners this amounts to £600 and odd *per annum*; and I find some of the King's artillery dispersed by the late distractions where they are neither necessary nor secure. I should have represented all this to the King and have offered my own opinion on it but that I think the better course is that those in authority here be ordered by the King to make such an addition to or alteration in the old establishment as shall be found absolutely necessary. *P.* 1. *Signed. Add. Ibid.* 4.

1 Dec. Cashel. The MAYOR and BAILIFFS of CASHEL to the COMMISSIONERS for the GOVERNMENT of the AFFAIRS of IRELAND.

We think it right to tell you that very lately we were assuredly informed that the Irish old inhabitants and freemen of this city had sent into Connaught for one Mr. Boynton, transplanted, whom, together with one Irish Papist of themselves, they intended to "fit and interest" to be elected burgesses for this place so soon as a Parliament should be called by his Majesty's writs. This somewhat alarmed us to make inquiry whether we the English had legally interested ourselves in the civil government of this city, pursuant whereunto we consulted our now Archbishop. We found him very encouraging to preserve an English plantation here, "it being the inducement in our charter that for the honour of the sea [see] it was made a city by King Charles I." Whereupon we called to our assistance one Mr. Hartstonge, Recorder of Limerick, by whose direction we were advised to proceed so as we might justify ourselves against them by law, in order whereunto we procured a public assembly, giving timely notice. There appeared one ancient alderman and burgess, and one citizen, who, upon application made of our desires to become free of the city, did

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admit and swear us. Thenceforward we soon increased to near one hundred freemen. About this time "some of the most notorious old Irish came into the Court House, about thirty in number, and protested against any one Englishman to be made free. We offered then to enter their dissent, for that we thought ourselves then able to outvote them, but they insisted only in demanding of possession of their houses and lands, whereunto we returned we should not deliver up his Majesty's possessions upon such easy terms. They then vaunted themselves his only true subjects. We desired them to read over the Act of Indemnity once more and remember the entertainment they gave of the Lord of Ormond's herald when he came to proclaim the peace by pulling his coat over his ears. They departed very impudently."

After this we proceeded, according to the charter we had with us, to the election of several officers, taking their oaths of allegiance and supremacy: "we taking example herein not from one but from all the incorporate towns in Ireland assuming the civil government into the English hands." As, however, they persist in an intention to make a faction among themselves, we think well to let you know the state of affairs. We will not act without a word from you either of encouragement or for resigning it up to them. We imagine the government of city and walled towns in Ireland will not yet awhile be entrusted in their hands. *Pp.* 1½. *Signed by* Peyton le Hunt, mayor, and Richard Hatton and Humphry Ray, bailiffs. *Endd. S.P. Ireland* 305, 5.

[3 Dec.] Petition to the King of Robert Fitzgerald, Esq., showing that:—

Certain lands in the Queen's County, known by the name of Tymoge [Timogue], Morett [Moyrett], Logacurrine [Luggacurren], "Allybeg"[1] and Shanganaghmore, containing 2,745 acres, were let out by some of petitioner's ancestors for certain years at the yearly rent of 20 marks to the predecessors of Gerald Fitzgerald, who forfeited his remaining interest therein—being about 21 years to come—by rebellion against the King. The remainder of the forfeited lease, except three years or thereabouts, was granted to Benjamin Worsley, Esq., in satisfaction of arrears due to him as Surveyor-General of Ireland, which office he executed for several years and, in that time, recorded or brought in the forfeitures of all the lands now standing escheated to the King. His salary was, by Act of the then supposed Parliament, to be paid one half yearly in money and the other half in lands at such rate as should be allowed by the adventurers. In regard of the derivation of these lands originally from petitioner's ancestors, and of a particular intention in petitioner's father to have settled his estate upon petitioner as part of his portion, petitioner has purchased from Worsley his interest in the said lease.

As petitioner has served the King according to his capacity, and as he is likely to lose a troop of horse which he commanded in

(1) Mr. Gratton Flood suggests Boleybeg, Queen's Co.

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Ireland, owing to the reduction of the army there, he prays for confirmation in the premises, with an addition of three years, he paying the rent reserved. *P.* 1. *Underwritten with*—

Order, dated 3 Dec., referring the petition to the Lord Chancellor of Ireland and the Earl of Orrery for consideration and report. *Countersigned by* Nicholas. *Accompanied by*—

Certificate by the Earl of Orrery, Lord Massereene, Richard Kennedy, John Lord Kingston, [Col.] Audley Mervyn and Sir James Barry[1].

They certify the readiness with which Captain Robert Fitzgerald, when at the head of a troop quartered in Dublin, declared for the Restoration. There was but one other troop in Dublin at the time, and the course taken by this officer greatly contributed to the "surrendry" of the Castle. *P.* 1. Dated 25 Nov. *Signed by the above. In all, pp.* 2. *S.P. Ireland* 305, 6 *and* 6*a*.

3 Dec. [————] to Jeremy Taylor, Bishop-elect of Down and Connor.

In your last you gave me a charge to have an eye to the actings of the Presbyterians. In my last to you I could say but little, but now I wish I could not say so much.

They had a meeting last Monday week in which it was concluded that articles should be drawn against you and the charge of drawing them was put on Mr. Greg. Drysdall, Ramsay, and Hutcheson, who met on Tuesday last with their brethren at Newtown. Your charge by them was read unto the rest, "containing stuff to this purpose:—that you were a Sosinian, that you denied original sin, and that you were an Arminian and so a heretic in grain." This [was] allowed of by the whole conclave and signed, and the above-named four appointed to go for Dublin; and if they had any hope to be heard there, then to charge you, but if not, then to transmit your charge to their correspondent in England to be presented unto his Majesty; and in the meantime all of them to preach vigorously against Bishops and the Book of Common Prayer: which Mr. Richardson did so exactly perform that he discontented the Countess, who, being demanded by Mr. Swadling how she liked the sermon, said that even the greatest doctors had their failings.

"His text was Ephesians, *c.* iv. *v.* 14, from which words he did so libel against Bishops and the Book of Common Prayer that Mr. Swadling, being his hearer, professeth that in the worst of times he never heard such railings. He begged his hearers would now get the Bible without book, for the time of persecution was at hand worse than in Queen Mary's days, for shortly none should dare to

[1] Created Lord Santry, 18 Feb., 1661.

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keep a Bible in his house. He begged them remember Hen[ry] the 4th of France, who demanded of his clergy if Papist might be saved, and was answered that some might, whereupon he immediately turned Papist; and he himself was so charitable that he thought some Papists, Anb^{ts} [Anabaptists], Ind^{nts} [Independents] might be saved (he left out old Protestants) but with great hazard; but only in their communion men walked to Heaven safely. He also said that the time was coming and at hand wherein it should be safer to break the Lord's day than a holy day. He ended with a modest prayer thanking God for that little mite of liberty which the King had granted them."

Thus are ignorant people blown up with the bellows of sedition. God prevent their ruin, for they know not what they are doing. "My Lord: Gospel charity commands us to forgive our enemies, but does not forbid us to be wise as serpents."

P.S.—Present my service unto the Pro[vos]t, Mr. Seele, Dr. Sterne and Mr. Cooly. *P.* 1. *The signature at base torn off. Add.:* "To the right reverend father in God Jeremy Taylor, Lord Elect of Down and Conor: deliver at the College near Dublin," *and endd. in the hand of Sir Paul Davis, Secretary to the Irish Privy Council,* "a letter presented by the Bishop-elect of Down to the Earl of Mountrath and Mr. Wm. Bury." *S.P. Ireland* 305, 7.

3 Dec. Youghal. RICHARD MYERS, Mayor of Youghal, to the COMMISSIONERS for the MANAGEMENT of the AFFAIRS of IRELAND.

There arrived here on 29 Nov. a "vessell or frigott of about 80 tons with some guns mounted. The commander of the vessel who styles himself captain is one George Codd, a native Irishman and a Papist, born in or about Wexford," upon which vessel the collector of his Majesty's customs with some other gentlemen going aboard (as it is their usual manner to visit all strangers), after some short discourse this Captain George Codd "did fall into reproachful words against the English Protestants and their interests in this Kingdom, tending to revive the memory of the late differences or the occasions thereof, maliciously using names of reproach against the English, as may more largely appear by these enclosed depositions contrary to his Majesty's act of free and general pardon, indemnity and oblivion." Some men of this town upon this occasion have impleaded the said Captain George Codd in the theol[ogical] court of record in this town, and for want of bail he stands committed to the jail in safe custody till your pleasure be known. He has a Papist priest aboard. *P.* 1, *Signed. Add. Endd. Ibid.* 8. *Enclosing:*—

(1) *Deposition of John Luther Burgess, of Youghall, taken before Myers or Meyers as above.*

The vessel, as above, arrived on 29 *November. Deponent, with his brother-in-law, John Deacon, collector of the customs, went on board*

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the said vessel and "going in company with his brother-in-law into the master's cabin of the said vessel some of the company were discoursing that some of the Irish nobility had their estates bestowed on them, from whence the said Captain Codd, taking the rise of his discourse, said that the English in Ireland were more rebels than the Irish and that they murdered the Irish in the north at the beginning of the war, and further said that the English in Ireland were rebels and dogs and traitors for sending away the Irish to Spain and Barbadoes. And the said examinate asking the said Codd who the Irish were for when they received the Pope's Nuntio at Waterford, he answered they were for the King." Codd spoke without aggravation, and deponent did not answer him, as he was on his own ship. P. 1. Dated 1 Dec.

(2) *Deposition of John Deacon as above, taken before Myers as above. Corroborates foregoing in general terms. Dated as foregoing. P. ½.*

(3) *Same of John Dawson, Esq., taken before same.*

Deponent came from London to Youghal in Codd's ship. He often heard Codd say that the English in Ireland were as great rebels as the Irish and that the English of Ireland would be turned out of their estates, and that those who fought under the Nuntio in Ireland fought for the King. Dated as foregoing. P. ½.

(4) *Same of William Brutnell taken before same.*

He was in his master's (Codd's) ship on November 30. An Irishwoman came aboard at night to buy a pennyworth of tobacco and asked deponent if he had heard what "the fine gentleman" said. He asked if she referred to Codd and she said Yes, and that Codd should say that all the Irish should have their own and the English be their slaves before a twelvemonth and a day. P. ½. Dated 3 Dec. In all, pp. 2½. S.P. Ireland 305, 8a.

3 Dec. Whitehall. DRAFT of the KING to the [GRAND JURY OF] Co. ROSCOMMON concerning the maintenance of the IRISH ARMY.

There is no way of maintaining the Irish army until the calling of the intended Parliament in Ireland, but by the affections of our good people there. We have no doubt of these having already made proof of their loyalty, for which we desire you to give those in your county in our name our thanks. We direct you to call together the nobility and gentry of that our county, and to signify to them our desire that, to avoid disturbances by the soldiers or the taking of free quarter, they contribute so much money raised per poll according to directions given by the Lords Justices and Council as would have been raised by the last levy taken in this way if care

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had been taken. What they now subscribe shall be credited to them at the next assessment, and we shall take this service in good part at their hands. *P.* 1. *Apparently a circular letter addressed to several counties. This draft is underwritten:* "Co. Roscommon." *Endd.:* "Minute of a letter to the counties in Ireland." *S.P. Ireland* 305, 9.

3 Dec. The KING to the LORDS JUSTICES for JAMES, EARL OF CASTLEHAVEN.

A report on Castlehaven's petition by the Marquis of Ormond and Lord Chancellor Eustace shows that he came to Dublin soon after the outbreak of 23 Oct., 1641, and tendered his services there, but was committed by the then Justices. Thereupon he sued that he might be sent into England and tried by his peers for any crime which should be laid to his charge. This being denied him he went to the Irish and served then till the peace of 1645. He agreed to this and, on the breach thereof, went to the Marquis of Ormond to Dublin and remained with him until his leaving the kingdom in 1647, since when he has always been loyal to the Royal cause. The Marquis and Lord Chancellor think he should be restored to his farm of Maddenstown. You shall restore him accordingly. Clauses for execution. *Pp.* 1½. *S.P. Dom. Signet Office IV.* 150-151.

[5 Dec.] PETITION to the KING of JOHN LESLIE, Bishop of Raphoe, showing that:—

He has already represented to the King his eight and thirty years faithful service to the King's royal progenitors, and, of this time, his two and thirty years service as Bishop and Privy Councillor in Scotland and Ireland, together with his actings and great sufferings in the late rebellion, when, by the usurpers of the King's authority, he was despoiled of all his means. He had already been sufficiently impoverished by building the castle of Raphoe at the charge of above £3,000 and by raising, arming and maintaining a foot company of a hundred men against the common enemy from the beginning of the rebellion to the death of the late King. Petitioner was compelled to contract much debt for the support of his numerous family, and the King granted him for their support 4,000 acres of forfeited land in co. Donegal, but has not yet been pleased to "perfitt" this grant.

He prays for the King's letters recommending to the coming Parliament that he be satisfied for all his sufferings and losses, so that his family may not be brought to beggary after his death. "So shall your Majesty's petitioner continue and end his life with a great deal of alacrity in your Majesty's service." *P.* ½. *Underwritten with—*

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Order, dated 5 Dec., referring the enclosed petition to the Lord Chancellor of Ireland and to the Earl of Orrery, President of Munster, *and endd. with*—

Report by Eustace and Orrery on the foregoing Petition.

The Bishop should be recommended by Royal letters to the next Parliament "as his case is extraordinary and therefore more fit for a public than a private consideration." *P.* ½. *Signed. In all, pp.* 1½. *Endd. S.P. Ireland* 305, 10.

5 Dec. Council Chamber, Dublin.

Copy of the Earl of Mountrath and William Bury to the Mayor, &c., of Cashel.

We have received your letters of the first of this month, and as we commend your care for the English interest at Cashel "so we hold it strange that you desire so lightly to pass over those notorious old Irish you mention (who, we conceive, are also Papists and involved in the guilt of the rebellion), and who, you write, came into the Courthouse and protested against any one Englishman to be made free and vanted themselves to be his Majesty's only true subjects, an expression so much reflecting on his Majesty's Protestant subjects as justly renders those persons liable to punishment; and therefore we hold it fit that you do cause some of them who carried themselves so insolently and expressed such averseness to the English interest, or any others that shall hereafter offend in that kind, to be apprehended and bound over to the next Assizes to be held for that county, there to be proceeded against according to law; and that you take care not to admit those or any other Irish Papists to be made free of that city until further direction on that behalf from his Majesty or the Chief Governor or Governors of his Kingdom." *P.* ¾. *Certified by* Sir Paul Davis. *Endd. Ibid.* 11.

5 Dec. Whitehall.

The King to the Lords Justices for Thomas Kennedy.

Directing that he be appointed register or clerk to the Commissioners or Trustees for the adjudication of qualifications, claims, and all other interests expressed and limited in and by the Royal Declaration for the settlement of Ireland. *P.* 1. *S.P. Dom. Signet Office IV.* 157-8.

Petition to the King of Lieutenant-Colonel Michael Searle or Serle, showing that:—

Petitioner was lieutenant-colonel and adjutant-general of the Irish army under the Marquis of Ormond. He was taken prisoner

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before Dublin, and endured many hardships. The King recommended him to the Duke of Albemarle for employment in Ireland, but there were no posts left when he came over to apply.

He prays for a lease of the Royal fishings in Ireland on such terms as may be thought fit. *P.* ½. *Underwritten with*—

Order, dated 5 Dec., referring the petition to the Lord Chancellor of Ireland. *Endd. S.P. Ireland* 305, 12.

[About same.] DRAFT of the KING to the LORDS JUSTICES for COLONEL SEARLE.

Directing that he be preferred to the first suitable post vacant in the Irish army which is suitable for him, and that £1,100 out of the money paid in by the adventurers be paid to him on account of his losses in the Royal cause. *P.* ⅔. *Endd. Ibid.* 13.

5 Dec. Dublin. COPY of the EARL OF MOUNTRATH and WILLIAM BURY to SECRETARY NICHOLAS.

Upon receiving your instructions of 25 October last that we should send Viscount Ranelagh to England to attend the King's pleasure and answer such charges as may be brought against him, we sent for his lordship, who has given an undertaking to depart for England by 5 January next, or sooner if he conveniently may, to answer any such charges. We thought that he would require this time for hs preparation and hope that the course we adopted will be graciously interpreted.

As we were ready to close this letter the enclosed from one Alexander Aitkins [or Atkins], and addressed to the Lord of Collooney, was brought to us, whereby it seems that one Miles MacSwyne committed a cruel and bloody murder here in the beginning of the rebellion, upon one Aitkins, a minister, and four other persons who, as is said, were murdered by him in one night; also that the said MacSwyne has now the "confidence" to present himself at London as one of his Majesty's most loyal and faithful servants; and seeing his accuser stands bound and is ready to prosecute him, we think MacSwyne should be apprehended there and sent hither a prisoner to be proceeded against according to law. *Pp.* 1$\frac{1}{10}$. *Signed Add. Endd. Ibid.* 14. *Enclosing:*—

29 Nov. Carrick-drumrusk. [Carrick-on-Shannon.] *Alexander Atkins to Lord Collooney.*

I doubt not but you have heard of the cruel murder committed by Colonel Myles MacSwyne on my father Robert Atkins, minister, and four more, who were all murdered in one night [&c., as in foregoing]. *MacSwyne now sets abroad that he has been "scandalised" for a crime whereof he is not guilty. I pray that the King may, in the absence of any other informant in England, be informed of this fact, lest he pardon him. I will enter into any further bonds if necessary. P.* 1. (*Hol.*). *Endd. Ibid.* 14*a*.

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6 Dec. Whitehall.

The KING to the LORDS JUSTICES for the MARQUIS OF ORMOND.

Ordering that he be granted the custody of Robert, son and heir of Edmund Walsh, of Castlehoyle, co. Kilkenny, without rendering any rent or fine. *P.* ¼. *S.P. Dom. Signet Office IV.* 293.

[7 Dec.] PETITION of JOHN BOWMER to the KING, showing that :—

He served King Charles I. in the expedition against the Scots as cornet, and afterwards in Ireland as cornet and lieutenant to Captain George Villiers, now Lord Grandison. After that, being commanded over to England, the petitioner was major of horse in the regiment of Sir William Vaughan, and at the engagement in Kent was colonel of horse to Colonel Edward Hamond, with whom he marched under the Earl of Norwich to Colchester. Petitioner has been imprisoned and wounded, and has lost much owing to his loyalty.

He prays for the place of lieutenant to Lord Grandison's troop in Ireland. *P.* ½. *Underwritten with—*

Order, dated 7 Dec., directing "the Lords Justices or other chief governors" forthwith to appoint petitioner lieutenant in Lord Grandison's or any other standing troop of horse in Ireland. *P.* ¾. *S.P. Ireland* 305, 15.

FURTHER PETITION[1] of SAME to SAME, showing that :—

On his late address the King gave him a lieutenant of horse's place, but, on the Commissioners for Ireland going, there is nothing yet done in the matter.

He prays for the place of lieutenant to Lord Grandison. *P.* ½. *Ibid.* 16.

[Same.] PETITION to the KING of RICHARD BRICE, showing that :—

Petitioner was expropriated in 1652 for revealing to the Marquis of Ormond one Robert Ushare, of Cromlyn, who daily informed Michael Jones of the transactions in the camp of Rathmines.

Petitioner and his father were loyal and took no lands in Connaught. They pray for restoration. *P.* ½. *Underwritten with—*

Order, dated 7 Dec., referring the petition to the Lord Chancellor of Ireland for consideration and report, *and endd. with—*

REPORT of LORD CHANCELLOR EUSTACE on the foregoing PETITION.

A certificate by the Marquis of Ormond, dated 6 Dec., 1660, informs me that John Brice, late of Dublin, alderman and the

[1] Undated; placed with foregoing for convenience.

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petitioner's father, commanded a company of train-bands for preservation of Dublin against the rebels. The petition should be granted. *P.*. *Signed. In all, pp.* 1½. *Endd. S.P. Ireland* 305, 17.

8 Dec. Kilkenny. ROBERT CLARK to the EARL OF MOUNTRATH.

Our adversaries the Tories are so audacious that they fear not to attempt their mischievous practices at the noon day, as this week they robbed one Mr. Bigly about a mile from me of all that he had in the house, and this week also attempted Water Castell [Watercastle], Queen's Co. This with their general boldness and talk of deliverance from the English yoke, puts us in fear for the loss of our lives and of such enjoyments as the Lord has given us. It is reported "as joy" amongst the Irish children that about Christmas there will a war, and they say that their parents know it by some news which they have from some who have lately come out of Spain. The English in these parts need protection. *P.* 1. (*Hol.*). *Add. Endd. in* Davis' *hand. Ibid.* 18.

9 Dec. Cockpit. COPY of INSTRUCTIONS to the LORDS JUSTICES of IRELAND for the ordering of the army there, drawn by the DUKE OF ALBEMARLE.

1. No officer to muster a man false upon pain of cashiering.
2. Every officer and soldier to take the oaths of allegiance and supremacy.
3. No Papist officer or soldier to be at any time mustered in the army.
4. No officer upon pain of cashiering to make any contract or agreement with his soldiers for less pay than the King allows on his establishment for every soldier.
5. Every troop to have "at least still residing with it" two commissioned officers, and every foot company at least one.
6. No officer to permit above six of his troop or company to be absent from his colours at one time.
7. No captain of horse or foot to be allowed to muster above two servants, and every inferior commissioned officer but one.
8. No soldier shall be mustered that is an inhabitant in any garrison town.
9. No muster master shall wittingly or willingly make any false musters upon pain of forfeiture of his employment.
10. The musters shall be in summer every six weeks and in winter two months' musters.
11. Every officer or soldier that stays longer than his pass is to be respited till his appearance, and if he have been absent two musters, not to be taken off but by order of his Majesty or the Lord General.
12. The muster-master to take care that the soldiers arms be fixed and that all the firearms of foot be of musquet bore.

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13. No muster master shall muster any company or garrison by any other order or rule than according to his Majesty's establishment.

P. 1. *Signed* (*not autograph*) Albemarle. *Endd. S.P. Ireland* 305, 19.

General date 10 Dec.

DOCUMENTS RELATING TO THE CASE OF COLONEL MYLES SWINE OR SWYNE AND OTHERS.

Petition of Colonel Myles Swine, Major Neille McSwine, and the rest of the officers and soldiers late of their regiment in his Majesty's service in Ireland, the widows and orphans to them belonging, whose names are herewith annexed, showing that:—

Petitioners cheerfully submitted to and cheerfully prosecuted the peace concluded in 1648 between the Duke of Ormond as Lord Lieutenant of Ireland and the Catholics of that kingdom. They adhered thereto till the kingdom was overpowered, as will appear by the Duke's certificate annexed.[1]

Divers of petitioners, whose fathers died before the insurrection in Ireland, and then [*sic.*] weak and under age, were never in arms but in your Majesty's sacred father's service.

They are in number twenty persons, whereof several are widows whose husbands died before the said insurrection and four are orphans. Their several estates do not exceed £200 or thereabouts, these petitioners not receiving lands or decrees in Connaught or Clare. Those estates are not disposed of to adventurers or soldiers. As these petitioners are by the King's declaration restorable to their estates, and as certain officers who were members of the Court of Claims in England have surreptitiously obtained a grant of the said lands amongst other lands in the co. Donegal, unjustly pretending that they are forfeited,

They pray that the King and the Committee for Irish affairs may determine this matter, and that, if their contentions are true, they may be restored. *P.* 1. *Endd. Ibid.* 20.

Copy of order referring the above petition to the Lord Chancellor or Lord Steward [Marquis of Ormond] for consideration. *P.* ½. *Dated* Whitehall, 10 Dec., *with counter-signature* (*copy*) *of* Nicholas, *and followed by*—

Copy of report by Lord Chancellor Eustace on the same.

Has considered the petition. Miles Swyne has been faithful to the royal cause, and he should have the benefit of the Declaration regarding several interests in Ireland. *P.* ½. *In all, p.* ¾. *Endd. Ibid.* 21.

(1) Missing.

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Names of the parties [petitioners in last but one] with their several parcels of lands.

Colonel Miles Swyne; the reversion of his mother, Siby ny Swine, widow, in the quarter of land of Magherimeanagh [Magheramenagh] and Dunluy [Dunlewy] half a quarter. Her husband deceased before the rebellion in Ireland.

Captain James McSwyne; the quarter of land of Ray and divers other parcels of lands.

Major Neille MacSwyne; the quarter of land of Ballyornsucky [Ballynemucky*] &c.

Ralph McSwyne; the half quarter of Creeve, the half-quarter of Gleanly-Dally [Glenalla?], with other parcels of lands.

Lieutenant Owen MacSwyne; the half quarter of Creeve and two balliboes of Voghter-Gliny [*Oughterglin].

Daniel MacSwyne; the quarter of Ballyhyernan and the reversion of his mother Mary in other parcels. Her husband was dead and her son not five years old in 1641.

Daniel McScwyne; of Unmagh [Minmagh*] one quarter, Glinsk one quarter, with other parcels, and the reversion of Onora ny Swyne and Elinore ny Swyne, whose husband deceased long before the war. Daniel is not 23 years old at present.

Dudara McSwyne; the quarter of lands of Magheryndroman [Magheradrumman]. Half of this belongs to his mother Nelle ny Swyne during her life.

Neille Moderra McSwyne; the half quarter of land of Torra and another parcel of land.

Manus O'Donnell; the quarter of land of "Gortnenotreagh," [Gurteenontragh*] half whereof belongs to his mother, Onora Mergagh ny Swyne, during her life. His father was killed captain under the Duke of Ormond at Dublin defeat.

The heir or heiress of Owen McConor Oge O'Gallagher; one quarter, whose name I remember not.

The heir or heiress of Hugh O'Dugane; the quarter of Skeagh.

Manus McSwyne, a child at the beginning of the war; Edmond Groma McSwyne; Laughlin McSwyne; the quarter of land of Droomhalagh [Drumhallagh].

Names of such of the widows aforesaid whose husbands deceased before the war, *vizt*:—

Siby ny Swyne, the relict of Donagh McSwyne of Magherymeanagh [Magheramenagh], as aforesaid; one quarter of the land of Dunluy [Dunlewy].

Grany ny Swyne, the relict of Walter McSwyne, Esq. and a Protestant; the quarter of land of Ballykenay [Ballykenny], the half quarter of Droomharve [Drumherrive], and the half quarter of Glenala.

Mary, relict of Balter McSwyne; the quarter of land of Ballyhyernan and other lands.

Onora, the relict of Donell Gorme McSwyne; a quarter of land of Glanfanad [Glenfad?], and other lands.

* I am indebted to Mr. Flood for these suggestions.

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Names of the orphans who were under age in 1641 and never in arms till 1648.

Daniel McSwyne; Unmagh [Minmagh] and other lands; and the reversion of the land of Mary McSwyne as above.

Dudara McSwyne; the reversion of the lands of Nell ny Swyne in Magherindrooman [Magheradrumman] and other lands.

Manus O'Donnell; the reversion of Onora as above.

All these parcels are in the barony of Killm'crenan [Kilmacrenan] co. Donegal.

Also Grany ny Swyne, to whom belongs the quarter of land of Glinskes, without other heir.

Elinor ny Swyne, relict of Daniell McSwyne; the quarter of land of Leheade [Lehardan], with other parcels; and another Grany nye Swyne, widow, of Balygy [Ballygay]. *Pp.* 2. *S.P. Ireland* 305, 22.

This concludes the documents relating to this case.

About 10 Dec.? [1]

Petition of Edward Crofton, to the King, showing that:—

Near the hamlet of Ballesadera [Ballysodare], co. Sligo, a rock in the river of Owenmore, near its influx into the sea, commonly called the precipice or leap of Ballesedera, obstructs the free passage of "salmons" up the river, which otherwise would be a great relief and profit to the inhabitants of four "baronies or hundreds" near the said river. As the breaking of the said rock, which cannot exceed three hundred pounds would abundantly supply the said baronies with salmon and also conduce to the improving of navigation and of the King's revenue;

Petitioner prays that the matter may be referred to the Lord Chancellor of Ireland and that he be employed to do whatever shall be fit in the matter. *P.* ¾. *Underwritten with*—

Order, dated Dec., referring this petition to the Lord Chancellor of Ireland, *and endd. with*—

Report by Lord Chancellor Eustace on the foregoing Petition.

It should be referred to the Justices of the county concerned. who should see the work performed if it be for the public good, *P.* ¼. *Signed. In all, pp.* 1¼. *Endd. Ibid.* 23.

[10 Dec.] Further Petition of Same to Same, showing that:—

After the death of William Crofton of Templehouse, Esq., without issue male, the estate of inheritance of the said William in Ireland came to petitioner as next heir and cousin, and he continued in

(1) *See* next petition.

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possession thereof till the decease of the late King. He was then dispossessed by the usurping power. He has always been loyal to the Royal cause.

He prays for restoration. *P.* ¾. *Followed by*—

Order, dated 10 Dec., referring the petition to the Lord Chancellor of Ireland who, upon consideration of it, is to report what is fit to be done therein, *and endd. with*—

REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

He has considered it and remembers that there was a suit brought for the title mentioned in the petition against the heirs general for the lands mentioned, but he knows not what end it received. In whomsoever the possession is, it should not be removed but by due course of law. *P.* ¼. *Signed. In all, pp.* 1¼. *Endd. S.P. Ireland* 305, 24.

[10 Dec.] PETITION of RICHARD LAWLES, of Kilkenny, to the KING, showing that:—

Petitioner was always loyal during the war, but was expulsed out of his house and estate in the city and co. Kilkenny about ten years ago. Part of it was granted by the usurped power to one Adams, for his service in betraying one Love, and the rest to others, but no part thereof to adventurers or soldiers. Yet the wife of Adams, and others, pretending a title from the usurped power, keep petitioner out of his estate.

He prays for restoration. *P.* ½. *Underwritten with*—

Order, dated 10 Dec., referring the petition to the Lord Chancellor of Ireland, *and endd. with*—

REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

Sets out a certificate by the Marquis of Ormond, dated 6 Dec., 1660, certifying the loyalty and services of petitioner. He should be restored to all his lands. Clause for reprisals suggested. *P.* ¾. *Signed. The whole, pp.* 1½. *Endd. Ibid.* 25.

[11 Dec.] PETITION of PATRICK WARREN, showing that:—

Petitioner was always loyal during the rebellion and contributed to help the Royal forces in Ireland. He lost two brothers and one uncle in the King's service at Drogheda.

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He prays for restoration to his estate in co. Louth. *P.* ½. *Underwritten with—*

Order, dated 11 Dec., referring the petition to the Lord Chancellor of Ireland, *and followed by—*

REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

Sets out a certificate, dated 26 Nov., 1660, signed by the Earl of Westmeath and Lord Taaffe, testifying to the loyalty and services of the petitioners' relatives, as mentioned above, and a further certificate, dated 20 Nov., 1660, signed by Lord Moore and others, testifying to the loyalty of petitioner, Patrick Warren of Warrenstown. He should be restored to all his lands. Clause for reprisals suggested. *P.* 1. *The whole, pp.* 1½. *S.P. Ireland* 305, 26.

11 Dec. PETITION of MARTIN SCURLOGE, of Rathcredan, co. Dublin, eldest brother of COLONEL THOMAS SCURLOGE, a loyal and faithful subject of the KING, showing that:—

Petitioner was loyal during the Irish rebellion, adhered to the peace of 1648, and helped the Royal army in Ireland. His estate was given by the usurper to John Jones, late executed here. He has had no compensation in Connaught.

He prays for restoration. *P.* 1½. *Underwritten* with order dated 11 Dec. referring the petition to the Lord Chancellor of Ireland, with signed certificate of the Lord Chancellor testifying to the truth of the facts as stated above. *The whole, p.* 1. *Ibid.* 27.

[Same.] PETITION to the KING of ARTHUR, LORD CAPELL, showing that:—

In 1641 petitioner's father, Lord Capell, advanced £1,000 at the request of the then sitting Parliament for the affairs of Ireland; and neither petitioner nor his father received any recompense therefor. The sum was received by Sir Nicholas Loftus, the public treasurer, as may appear by his receipt.

Other adventurers have been secured of their money, but petitioner has not been paid in regard of the pretended delinquency of his father. Petitioner has no remedy unless the King favour him.

He prays for a reference to the Commissioners for Ireland that he may receive a like benefit with the other adventurers. *P.* ¾. *Underwritten with—*

Order, dated 11 Dec., referring the petition to the Lord Chancellor of Ireland, *and followed by—*

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REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

Has considered the petition and seen a receipt for the sum mentioned above. Satisfaction should be given to the petitioner by forfeited lands in Ireland or otherwise. *P.* ⅓. *Signed. In all, pp.* 1⅓. *S.P. Ireland* 305, 28.

11 Dec. Cockpit. The DUKE OF ALBEMARLE to SECRETARY NICHOLAS.

In the list of the captains of the standing companies of the King's army in Ireland Colonel John Hublethorne, Lieutenant-Colonel Ethelbert Morgan, Lieutenant-Colonel James Mutlowe and Major James Denis are passed by his Majesty's royal approbation to have standing companies, and I have thought fit to assign them the companies hereafter mentioned, to wit:—To Captain Hublethorne, Captain William Bolton's company, which he now commands as captain to Lieutenant-Colonel Morgan; to Lieutenant-Colonel Morgan the company which Lieutenant-Colonel Smithwick now commands as captain; to Lieutenant-Colonel Mutlowe the company which Captain Manserge now commands as captain. I shall resolve and send you notice by this bearer what company Major Denis is to have. You are to prepare the necessary patents. *P.* ⅔. *Signed. Add. Ibid.* 29.

12 Dec. Council Chamber, Dublin. The EARL OF MOUNTRATH and WILLIAM BURY to SECRETARY NICHOLAS.

Yesterday Dr. Jeremy Taylor, Lord Bishop-elect of Down and Connor, brought us the enclosed and told us that he had cut off the name of the writer, lest, if it became known, that person might contract hatred thereby from some ministers of the Presbytery in the co. Down; but he informs us privately that Mr. Robert Maxwell is the writer of the letter and that divers persons are ready to make proof of the statements contained in it.

As to the charge which the Presbyterian ministers threaten to bring against the Bishop-elect we leave him to justify himself and forbear to interpose as to that part. But finding other matters in the letter concerning a sermon lately preached by one Mr. Richeson, which seems "to reflect upon the King's Government, civil and ecclesiastical, to undervalue his Majesty's gracious and indulgent Declaration lately set out, to contemn the laws of the land and to move in the people a dislike of his Majesty's blessed Goverment and of the Bishops[1] and of the Book of Common Prayer established by those laws, and to beget in the people fears and doubts as if there were great and dangerous designs in hands against the Holy Bible and the countenancers thereof; and consequently to excite and stir up factions and seditions in opposition to his Majesty's royal authority," we thought the matter should be proved and have taken steps to this end and expect a speedy account thereof, in order that

(1) The words 'the Bishops" are erased.

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we may take steps to stop any further public inconvenience of this kind. In the meantime we enclose the letters for his Majesty's view.

We have also received news from Captain Charles Gore telling us [&c., *see below, inclosure* 1]. We enclose the letter, and have ordered Captain Gore to examine the captains, to discover from what part of Scotland they came, what quantities of powder they brought, from whom it is sent, to whom and in what quantities it was sold, and to seize it in whose hands soever it shall be found, and place it in the King's stores, whence honest men may be supplied as occasion requires. In the meantime we suggest that orders be sent to Scotland to prevent the unlicensed export of powder without leave. We are jealous in the matter of powder, because we are informed that the Irish Papists are anxious to provide themselves with it as far as they can, and because of their insolency. We are therefore sending orders to the ports of this kingdom that all diligence be used to prevent imports of powder into this kingdom.

On the third we received letters from the mayor and bailiffs of Cashel speaking of the action of the old Irish there [*see above, S.P. Ireland* 305, 5], and we have also had letters from Youghal [*see above, Ibid. No.* 8] and from Captain Clerk at Kilkenny [*Ibid. No.* 18.]

We lately received letters from Captain Webster, a captain in the army, and a paper found on a Popish priest for making collections of moneys for what end we know not; and the like is done, as we are informed, in several parts of the kingdom. We enclose the paper.

The Popish priests appear here boldly and in large numbers, and though this is more penal in England than in Ireland, yet as these men have always been incendiaries here we think it wise to secure them and prevent them from saying the mass and preaching. We have therefore given order to secure them. Priests who, when out on bail, think themselves entitled to continue preaching, we have ordered to be committed, as they reflect scandal upon the King's Government.

Thus you will see "how we his Majesty's servants here are beset on all sides by parties of seeming different persuasions and on several and differing interests, and in several parts of the kingdom; and how opposite soever they seem to be one to another, yet from them all we find a concurrence of desires to interrupt and disturb his Majesty's Government." We think it our duty to report on these matters and will do our utmost to prevent any public inconveniences. As we were ready to close these letters a petition was presented to us from the officers and soldiers, or their assigns, whose lots fell in the barony of Cary, co. Antrim [*see inclosure* 2]. We transmit the petition. *Pp.* 2¾. *Signed. S.P. Ireland* 305, 30. *Enclosing probably the letters mentioned above; and also—*

(1) *Captain Charles Gore to the Earl of Mountrath.*

There came several small barques out of Scotland to these parts lately to bring corn and other commodities that this country affords,

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and have brought into this port several "ferokings" [firkins] and small vessels of powder and have sold them to the gentlemen of the country, as well to Irish Papists as others, "which I fear may be of dangerous consequence, for the Irish are so insolent of late that they do not scruple to say that the first and second year of the war was no rebellion, and that they hope to be recoumpted true subjects for all their [?] services at home and abroad to his Majesty, and that their agents assure them that they shall all be restored to their estates, with many other insolent expressions that doth very much disanimate the English Protestants here." P. ½. Dated Sligo, Dec. 8. *Signed. Add. Endd. in* Davis' *hand. S.P. Ireland* 305, 30-1.

(2) *Petition to the Commissioners for the Government of Ireland of the officers and soldiers whose lot fell in the barony of Cary and co. Antrim, and their assigns, showing that:—*

The barony of Cary was set out by lot towards satisfaction of the arrears of the army in January, 1656, *as part of the Earl of Antrim's estate, there being no mention in the Civil Survey of any other that pretended interest therein, except some small holdings under the Earl at a rent reserved.*

Petitioners enjoyed their lots and rents for three years up to 1 *February last. On* 1 *June last the King proclaimed that "The adventurers and soldiers and other our English subjects in Ireland, their heirs, executors, administrators, and assigns, who on the first day of January last past were in possession of any the manors, castles, &c., of any the said Irish rebels shall not be disturbed" in their possessions until the King, by the advice of the Lords and Commons or such a Parliament as should be called in England or Ireland, shall take further order, or until they be convicted by course of law.*

In spite of this proclamation petitioners are violently prevented from taking their rents by one Mr. Archibald Stewart, of Ballentoy [Ballintoy], who pretends that he has received an order under the King's hand and privy signet, dated 17 *November, directed to the Lords Justices of Ireland, whereby the controversy betwixt Stewart (with other creditors and sureties of the Marquis* [1] *of Antrim) and the present possessors of the said barony is referred to receive a final determination at the Council Board in Ireland, and in the meantime all tenants, &c., are ordered to keep their rents payable on November* 1 *last upon their hands. This letter is so inconsistent with the proclamation that we believe that it has either never been issued, or has been gained by false information. This we are inclined to believe by reason of the Earl of Orrery's letter dated on* 24 *November last and directed to several persons of honour in this kingdom, wherein amongst other things it is expressed "That it is his Majesty's gracious pleasure that no adventurer nor soldier should be dispossessed by virtue of any private orders of their respective estates until the first shall have a reprize of equal value, worth and purchase to the lands he is dispossessed of.'"*

Petitioners are willing to abide an issue at law, since they can prove that the Marquis of Antrim never owned this barony before the war,

[1] The titles "Earl" and "Marquis" are used indifferently in this document.

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or to abide by the decision of a Parliament to be called in Ireland, or of the Council. They pray, however, that until one of these courses be taken they may have possession of their lands. Pp. 2. *Signed on behalf of himself and the rest of the petitioners by* Ralph King. *Endd. S.P. Ireland* 305, 30-2.

12 Dec. Whitehall. The KING to the LORDS JUSTICES for OLIVER KEATING, of Dublin, Esq.

He served the Royal cause loyally to the last in the late war. He is to be appointed captain of the first foot company that shall fall vacant in the Irish army in as full a manner as any other captain holds such a company. *P.* ⅔. *S.P. Dom. Signet Office IV.* 151–2.

13 Dec. Whitehall. SIGN MANUAL WARRANT to the LORDS JUSTICES.

Directing them to issue a commission for command of a foot company in Ireland to Richard St. George, Esq., with the usual allowances of salary and pay. *P.* ⅔. *S.P. Ireland* 305, 31.

Same. The KING to the LORDS JUSTICES for ROBERT MANLEY.

He is to have a commission to command a company of foot in the Irish army. *P.* ½. *S.P. Dom. Signet Office IV.* 159.

Same. ARTICLES AND INSTRUCTIONS to be observed by the MASTER ATTORNEY and SURVEYOR of the COURT OF WARDS AND LIVERIES in Ireland.

Every writ or commission for enquiry after the death of one of the King's tenants or of or for idiots or lunatics their lands or goods or of or for any cause specified in the Commission shall be granted, or the warrant signed, by the Master, Attorney and Surveyor or any two of them—whereof the Master for the time being to be one—and not by any others, and to persons as shall be particularly named in the said warrant.

Every such office or inquisition so found shall be brought by some of the officers or commissioners which shall be present at the execution thereof, to the Master, Attorney and Surveyor, or to any such two of them as aforesaid in their public sitting, to be considered by them before any such office is returned; and then a schedule for the wardship and livery and a particular for the leases and commitment to be made by the Clerk of the said Court of Wards and Liveries, which shall be entered into a book; and then the office or inquisition to be returned and filed.

No grant or lease of the bodies, goods or lands of wards, lunatics or idiots to be made by the Court before an office or inquisition found and returned and the annual value certified to the Court by its surveyor.

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No grant of any bodies of wards to be made to any Recusant. Wardships and custodies and leases of lands to be made for such valuable and reasonable fines and rents as may be fitting for the King's profit and reasonable for the subject.

The Court shall provide that the wards which are fit to be brought up in learning be bred and educated in the College near Dublin and shall take order for their maintenance there. This education to be paid for out of their lands or means.

The lands and goods of wards &c. not to be wasted so long as they are in the King's hands or in those of his committees.

Wards shall not be married to their disparagement nor to any Recusant.

The grant of the bodies of wards as well of the nobility as of others, and custody of idiots and lunatics and their lands and goods and licence and pardons of alienations, are to be made under the Great Seal; and leases and grants of lands of wards and heirs of full age remaining in the King's hands for want of livery are to be made under the Seal of the Exchequer. Both of them are to be by warrant from the Master Attorney, Surveyor, or two of them. Such warrant is to be certified into those Courts "respectively" and no grants of custodiams of lands for want of liveries to be hereafter made. The nomination of the person who shall have the custody and education of any ward of the nobility shall be reserved to the King's special directions under his signet "leaving the marriage notwithstanding and the composition for the same; and for all fines for alienations and other intrusions made or to be made by any of the nobility" [discretion shall be left] to the order of the Court for the time being.

If any complaint is exhibited to the Court, it shall by its warrant call the person complained of before it by warrant signed by two members (Master and Attorney or Surveyor): in case of contempt for not appearing, then upon oath made before them of serving the first process the Court shall grant [a] like letter or warrant in [the] nature of an attachment; and in their open and public sitting shall hear and examine all manner of questions suits and controversies concerning wards idiots lunatics or their lands and shall decide any matters which may call for decision in a summary manner according to justice. They may examine on oath *viva voce* such witnesses as come before them, and, if the cause requires further evidence by witnesses in the country, the Court shall direct its warrant to the Chancery or Exchequer for the examination of such witnesses on commission. Upon the return and production of the copies under the hands of the officers of the Chancery or Exchequer the Court shall hear and determine the matter. All orders made by the Court shall be certified into the Chancery or Exchequer there to be decreed without any further or other examination if the Court of Wards is unanimous. If however that Court is not unanimous then the said several Courts "with the assistants [*sic*] with the members of the Court of Wards" shall finally determine the matter. Further, if the Court

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of Wards shall find the matter to require further hearing, they may require the case to be heard by the several Courts of Chancery and Exchequer as above.

The Clerk shall keep a "perfect book" showing the fines rents profits &c. coming due to the King and recording the orders and directions made by the Court. A double roll is to be made of these rents fines &c., and one half thereof is to be certified yearly into the Exchequer and the other part to be kept by the auditor of the said Court who is to attend the Court at all its sittings for the auditing of rents &c. due to the King.

The appointment of a clerk to be with the King.

The monies of rents &c. arising as above to be paid to the general receiver of revenue in Ireland, or such person as shall be hereafter prescribed. In any case the Receiver-General to keep an account of the profits of the Court of Wards.

Such feodaries as are allowed in Ireland shall be from time to time appointed by the Court. The Deputy with the consent of the Court shall appoint escheators for the King's service there.

The Court to appoint an usher and messenger.

The surveyor, clerk, auditor, escheator, feodary, usher and messenger shall take the fees set down and allowed in our late commission. *Other details.*

The Court to be careful that all reliefs heriots &c. due to the King after the death of any tenant holding of the King by knight service or socage be truly paid to him.

The escheator and feodary to attend the Court at its sittings.

No wardship of the body or lands nor custody of idiots to be granted by way of reward or benefit, but the best price offered shall be accepted for the King "so always as the nearest and trustiest friends of the wards or idiots to whom the lands are not immediately to descend, or the persons nominated by the ancestors and making fit offers, be preferred: they formerly not opposing His Majesty's title thereunto." Consideration shall be had of the ward's estate, and no wardship shall be granted to a recusant.

No composition shall be taken for committing lunatics to their estates, but they shall be committed to such of their nearest friends as receive no benefit by their death "and their committees bound to answer not only the values found by office but the very just value of their estates upon account for the benefit of such lunatics if he recover." Due regard shall be had to the pains and charges of those who keep or cure "the said distracted persons."

No escheator or feodary shall cause any office to be found without giving notice thereof to the heir or tenant of the land twenty days before the finding thereof.

For the better discovery of the King's title the Courts of Chancery and Exchequer shall, upon request of the Court of Wards, make diligent search and certify as to the King's title. The escheator and feodary to have access to the Records to make up their books, and that without fee.

The Court shall from time to time appoint attorneys in the Court and these officers shall take such fees as the Court decides.

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All persons suing forth any livery or oustrelemayn shall take the Oath of Supremacy before the Lord Chancellor and the Lord Chancellor shall certify that the oath has been taken before the warrant proceed.

The Court shall at no time make any sales or commissions for the wardships of the bodies and leases of lands, any commitment of idiots or lunatics, any custody of their estates, or any compositions for primer seisims, intrusions, mean rates, alienations, licences of alienations, or for any other matter or cause, except such as it shall make openly in the Council Chamber of the Court.

The Court, with the assistance of the principal judge, shall take steps to stop all the fraudulent devices by which to defeat the King of that which is due to him by wardships, tenures, &c.

The members of the Court and the clerk and register shall take the oaths here following. The auditor, escheator, feodary, usher and messenger shall take such oath as the Court may from time to time think proper.

Oath for the Master, Attorney or Surveyor to be administered to them by the Lord Chancellor or Keeper of the Great Seal:—

You shall swear that you shall well and truly serve the King in the office of ———— of the King's Court of Wards and Liveries and shall minister equal justice to the poor and the rich to the best of your "cuning, wit and power": and that you shall diligently procure all things which may honestly and justly be to the King's advantage and profit, and to the augmentation of the rights and prerogatives of his Crown: and you shall also endeavour yourself to the uttermost of your power to see the King justly and truly answered of all such rents revenues issues and profits which shall be due . . . to the King by reason of his wards liveries, licences of alienations or any other thing committed to your care and charge, and to hear and examine indifferently all such matters and causes touching the same as shall come before you: and from time to time to deliver with speed all such as shall have to do before you: and that you shall not take or receive of any person or persons any gift or reward in any cause or matter depending before you or wherein the King's Highness be party whereof any prejudice loss hindrance or disinherison shall grow or be to the King: and further that neither you nor any other person for you by your appointment knowledge or consent shall take [a fee?] . . of any person . . to be preferred to compound before another, or to have any mitigation in the price or payment in any composition or contract at any time hereafter to be made for the wardships of the bodies or leases of the lands of any his Majesty's wards, idiots or lunatics or for the signing or despatching of any warrant for any grant of them; or any of them for any the causes aforesaid specified in his Majesty's commissions or instructions: so help you God.

Oath for the Clerk or register of the said Court:—

The oath requires the clerk or register to execute his office truly according to the King's commissions and instructions: not to take

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any reward for procuring any person to be preferred to compound before another or to have any other such advantage. *Two copies, pp.* 4½ *and pp.* 5. *One countersigned by* Nicholas, *and underwritten with* note that they were enrolled in the Rolls of Chancery in Ireland, and examined by Ra. Wallis, Clerk of the Rolls. *Endd. S.P. Ireland* 305, 32 *and* 33.

General date 13 Dec. DOCUMENTS RELATING TO THE CASE OF JAMES GOLD OR GOULD.

Petition to the King of James Gould, showing that:—

Petitioner's father was till his death loyal to the Royal cause. He was seized of several houses and lands in the city and liberties of the co. Cork; but "by the iniquity of the usurping times . . merely for being a Roman Catholic was dispossed" of his estate.

He prays for restoration to his lands, &c., which are not in the hands of adventurers or soldiers, and for his rents as from 24 June last. *P.* ½. *Underwritten with—*

Order, dated 13 Dec., referring the petition to the Lord Chancellor of Ireland, who shall report to the King as to what should be done, *and endd. with—*

Report by Lord Chancellor Eustace on the foregoing petition.

Recommends that the petition be granted. Petitioner's father was a lawyer and known to the Lord Chancellor. He was loyal. Clause for reprisals suggested. *P.* ¼. *Signed. In all, pp.* 1¼. *Ibid.* 34.

Report by Lord Inchiquin on the above case.

Thomas Gold, Recorder of Cork, and father of petitioner, was at all times loyal to the Royal cause. *P.* ⅔. *Signed. Ibid.* 35.

This concludes the documents relating to this case.

[13 Dec.] PETITION of TADY BYRN, son of JOHN BYRN, deceased, showing that:—

Petitioner's father was pursuivant to the Exchequer to King Charles I. in Ireland for above thirty years, and did good service. He was a soldier for eleven years under the Marquis of Ormond.

He prays that he may have the pursuivant's place in Ireland, which is now vacant. *P.* ½. *Underwritten with—*

Order, dated 13 Dec., referring the petition to the Lord Chancellor of Ireland, *and endd. with—*

REPORT of LORD CHANCELLOR EUSTACE on the foregoing PETITION.

Recommends that if the facts be found true the petition be granted. *P.* ⅓. *Signed. In all, pp.* 1¼. *Endd. Ibid.* 36.

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[14 Dec.] COPY of PETITION of SIR GEORGE HERBERT, kt., and bt., to the KING, showing that:—

Petitioner's father, Sir Edward, in consideration of his services against the rebels, got the command of twelve horsemen without check in her Majesty's [Queen Elizabeth's] army. King James confirmed this command to petitioner by patents, dated 4 March, 1611.

He prays that the command may be renewed to him, especially as he has been turned out of all his estate and forced to compound for it by the tyrant Oliver, and was despoiled at the outbreak of the rebellion. *P.* ½. *Underwritten with—*

Order, dated 14 Dec., referring the petition to the Lord Chancellor of Ireland, *and with* report by Lord Chancellor Eustace advising that the petition be granted. *P.* 1. *S.P. Ireland* 305, 37.

14 Dec. Whitehall. SIGN MANUAL WARRANT to the LORDS JUSTICES.

For restoring to Robert Nangle, of Ballysax, the lands, &c., of Ballysax, co. Kildare, of which he was dispossessed by the late usurped power. *P.* ½. *Countersigned by* Nicholas. *Endd. Ibid.* 38.

Same. The KING to the LORDS JUSTICES for CHRISTOPHER CUSACK of Rathalton [Rathaldron ?], co. Meath.

Ordering that, as the Marquis of Ormond and Lord Chancellor Eustace have reported in his favour, he be restored to all his lands whereof he was dispossessed by the late usurped power. Usual clauses for execution. *P.* 1. *S.P. Dom. Signet Office IV.* 169-70.

15 Dec. LORD CHANCELLOR EUSTACE to SECRETARY NICHOLAS.

Sends some letters to be presented to the King. Will be answerable for the loyalty and innocency [of those in whose benefit they are drawn.] Lord Valentia wishes his brother's letters for a troop of horse to be despatched. Desires that the list of councillors may be completed, for without them nothing can be done. *Other details.* *P.* 1. (*Hol.*). *Add. Endd. in* Nicholas' *hand. S.P. Ireland* 305, 39.

[17 Dec.] PETITION to the KING of JOHN HOLLYWOOD, showing that:—

His father, Nicholas, was seized of the lands of Tartaene [Artane], co. Dublin, and of other lands in Ireland. He came in on the articles made by the Marquis of Ormond with the Irish [in 1643], and four of his brothers were slain under the Marquis of Ormond and Lord Inchiquin.

He prays for restoration and for his arrears of rent since 24 June last. *P.* ½. *Also another petition in same sense. P.* ½. *The first underwritten with—*

Order, dated 15 Dec., referring the petition to the Lord Chancellor of Ireland, *and endd with—*

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REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

Sets out a certificate, dated 17 Dec., 1660, and signed by Lord Inchiquin, certifying that Christopher and James Hollywood were killed at Drogheda under the command of Sir Arthur Aston; a certificate signed by the late Earl of Clancarty and Lords Castle Connell, and Moore, certifying that Luke Hollywood was killed in action at Killelough [Killalough] in Munster, and also a further certificate similar to the first. Petitioner should be restored to such of his lands as are in the King's disposal. *P* ¾. *Signed. The whole, pp.* 1¼ *and p.* ½. *Endd. S.P. Ireland* 305, 40 *and* 41.

COPY of FURTHER PETITION to the SAME of JOHN HOLLYWOOD, of Tartaine [Artane], co. Dublin, showing that:—

He is innocent and was only five years old at the beginning of the rebellion. Owing to a report by the Commissioners under the King's Declaration for Settlement of Ireland, he was left without remedy [for recovery of his lands]. This happened by the intrigue of someone who had a design on his birthright.

He asks that the Settlement Commissioners may be asked to hear and determine his case. *P.* ½. *Endd. Ibid.* 42.

15 Dec. Lisnegarvy. [Lisburn.] MAJOR GEORGE RAWDON to LORD CONWAY.

There has been no mail from England to Dublin or Dublin to England for a fortnight owing to stormy weather.

Private estate affairs. A mill has been let on lease and another mill at Broomhedge at a rent increased by £10. Millers are "generally knavish." I think the new dining room will please you here, especially when you see Hillsborough dining room "which is very handsome long and well-furnished: so if it would please you and my lady to have a dining room of that below intended for your lordship's chamber and the maids' [?] it would be large and handsome, and that for your closet or drawing room, though not so large a drawing room as, if it had been designed for it even at first, it should be. Nor are the chimneys so well placed for that use but [yet it] will be convenient enough: and if this be approved your lordship may lodge in that called Mr. More's chamber when my lady is not well, and then we may also eat in the present room and her maids may be lodged above and not just over my lady's room to prevent any disturbance to her." I desire your directions in this matter.

On receiving your letters I wrote to the Earl of Mountrath to propound a troop for the Lord General. This he has done as his letter assures: but he propounds that his Grace may send some blank commissions and the names of the officers, and he will place them upon some convenient troop. I sent Captain Roma's commission to the troop, and presume you will hear about that affair from my cousin William Hill. Lord Richard Coote has gone to England again, and your Lordship should show him respect if occasion arises.

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Details about King's rents, &c.

When time serves my endeavour shall not be wanting to serve Dr. Petty and Sir An. Morgan, but I have little interest in the Scots' quarters. The Lord of Ards would be more useful.

Family affairs and affectionate messages.

The Bishop is at Dublin. He has got his £10 for Michaelmas half-year and is to have the moiety of £5 10s. 0d. *per annum* out of Camlin. *Other details. Pp.* 4. (*Hol.*). *Conway Papers. Endd. S.P. Ireland* 305, 48.

15 Dec. Bramford. The Earl of Orrery to Secretary Nicholas.

I trouble you again on behalf of one of my friends, Captain John Boyle, "a Bishop's son and an honest stout cavalier." All his misfortunes failed to induce him to take office under the late usurped power. He is fit for such a post as the bearer, Captain Shaen, will mention to you, and I hope you will procure it, or some such post for him by the King's letters. I also recommend Captain John Hallam, who is well known to the Marquis of Ormond for his loyal service. The letters already sent you for the Justices of Munster and the officers of the army, mentioned in the list I sent your son, for the contingences of the justices, for declaring co. Clare to be part of the government and province of Munster, and for passing these letters under the seal of Ireland, should be despatched by Captain Shaen, if they have not been sent off already. Captain Shaen is secretary to the Justices of Ireland and I entreat your favour for him. I am anxious to serve you in any way I can. *P.* 1. *Signed. Add. Ibid.* 44.

15 Dec. Whitehall. The King to the Lords Justices for James Barnewall, of Brimoore [Bremore], co. Dublin.

He was put out of his estate by the late usurped power. At the beginning of the late rebellion he was but an infant. He shall be restored to his lands and to his rents as from 24 June last. Usual clauses for execution. (*See below at* 2 *Jan.*, 1661, *note.*) *Pp.* 1¾. *S.P. Dom. Signet Office IV.* 154-6.

17 Dec. Whitehall. Copy of Sign Manual addressed to the Lords Justices of Ireland.

For restoring Richard Brice to his lands and estate. His father, who was lately an alderman of Dublin, was loyal to the Royal cause. *P.* ¾. *S.P. Ireland* 305, 45.

[17 Dec.] Petition of Edward Roberts to the King, showing that:—

He was appointed auditor for the army in Ireland by the "late pretended powers in being." In that capacity he built a strong brick house for the preservation of the records of his Majesty's

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revenue together with Dr. Gorge, who was in commission with him. They spent £400 upon it and it is now in the possession of Sir James Ware, the King's auditor-general.

Dr. Henry Jones, Bishop of Clogher, under colour of an order from Sir Hardress Waller, seized £100 odd allowed to petitioner as auditor of the army and confirmed to petitioner by the Act of Indemnity. Petitioner owes the King rent for his lands.

He prays that Dr. Jones be required to pay the sum which he received in to the Exchequer in Dublin, and that this sum and that laid out by him in building the house may be deducted out of the sum which he owes the King for his lands. *P.* ½. *Underwritten with—*

Order, dated 17 Dec., referring the petition to the Lords Justices of Ireland. *Endd. S.P. Ireland* 305, 46.

18 Dec. Whitehall. Copy of Sign Manual Warrant to the Lords Justices of Ireland.

For granting to William Halsey, of Waterford, and John Nayler, of Gray's Inn, the posts of Chief and Second Justice of Munster, to hold for life with the usual privileges. Luke Gernon, lately one of those Justices, is to have £100 during his life out of the casual profits of the provincial court of the province. *P.* ½. *Certified by* George Carre. *Ibid.* 47.

Same. The King to the Lords Justices for Sir Henry Talbot.

Sir Henry was seized of certain valuable lands adjoining Dublin Castle, and contracted with the late Earl of Strafford to surrender them in exchange for 1,000 acres in the then intended plantation in Connaught. He now occupies such land in Connaught. You shall confirm him in possession of it. *P.* ¾ *S.P. Dom. Signet Office IV.* 309.

About Same. Draft of Same for Same.

Recites his loyalty and directs that he be restored to so much of his lands as are not in the hands of adventurers or soldiers. Clauses for execution. *P.* 1. *S.P. Ireland* 305, 48.

Latest date 18 Dec. Whitehall. Four Drafts or Copies of Sign Manuals.

(1) Addressed to [the Lords Justices]. For making James Donellan Chief Justice of the Common Pleas in Ireland, to hold during pleasure with the usual privileges. *P.* ½. Dated Whitehall, 30 Nov.

(2) Addressed to the same. Ordering them to disband as many of the army as they think safe, in order to lessen the public charge and to lay out for that purpose the £20,000 which is in Dublin and intended to be spent thereon. *P.* ½. Dated Whitehall, 10 Nov.

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(3) Addressed to same. Directing them to take what steps they think right for raising such outlandish coin as is now current in Ireland to a higher value and for depressing the baser kinds thereof to a lower value, and to report to the King as to what are the best steps for bringing more coin into Ireland. *P.* ½. Dated Whitehall, 30 Nov.

(4) Addressed to the Master of the Wards in Ireland. Directing him to give the wardship of the body and lands of Robert Harpoll to Maurice Eustace of Lincolns Inn. Maurice's family suffered so for their loyalty that they are not able to maintain him at his studies in the Inn. *P.* ½. Dated Whitehall, 18 Dec. *In all, pp.* 2. *S.P. Ireland* 305, 49.

[18 Dec.] PETITION of JOHN HORE to the KING, showing that:—

By the late usurper, petitioner was outed of an estate in co. Waterford and elsewhere, which was his partly by inheritance and partly by purchase. He got no satisfaction from the Cromwellian Government and was not included in the pretended Act of Settlement. He has had a small estate given him for charity—he is 80 years old—but not a twentieth part of what is justly his. He adhered to the peace of 1648. *P.* ¼. *Underwritten with*—

Order, dated 18 Dec., referring the petition to the Lord Chancellor of Ireland, *and endd. with*—

REPORT by LORD CHANCELLOR EUSTACE on the foregoing PETITION.

He quotes a report, dated 13 Dec., 1660, and signed by John Aylward, John Porter, Michael Wale and Richard Butler, testifying to the petitioner's loyalty and thinks the petition should be granted. *P.* 1. *Signed. In all, pp.* 1½. *Ibid.* 50.

18 Dec. Whitehall. DRAFT of the KING to the LORDS JUSTICES concerning the maintenance of the Irish army.

We have "pitched upon two expedients" for payment of the army until the calling of the next Parliament and offer them to you —either to call together a general Convention of Ireland, or to see what the counties may do by way of loan upon our letters to them. If you think it well to recall the Convention again for this purpose, you shall thank them for their services and invite them to provide for the army till the calling of the next Parliament, assuring them that what they now pay shall be allowed them out of the levies raised by authority of Parliament. *P.* ¾. *Ibid.* 51.

18 Dec. Whitehall. DRAFT of SIGN MANUAL WARRANT to the LORDS JUSTICES OF IRELAND.

Directing them to grant by letters patent to Philip Fitzgerald, of Allen, all the lands in the co. Kildare whereof his brother Maurice Fitzgerald (who was slain at the head of his company fighting

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against Oliver) died seised, and which are not in the hands of adventurers or soldiers. He is to have them at the rent of 3*d.* an acre for the profitable part of the land. *P.* ⅔. *S.P. Ireland* 305, 52.

The King to the Lords Justices for Captain Francis Coghlan.

Upon Coghlan's petition Sir Maurice Eustace has reported, testifying to his loyalty. Terence Coghlan was Commissary of the Victuals to the Marquis of Ormond's army, and afterwards he and his son, the petitioner, escaped to Flanders where Terence died and Francis remained as captain of a foot company. He shall be restored to his father's estates which were lately in the possession of Gregory Clement, one of those put to death for the murder of Charles I. Clauses for execution. (*See below at* 2 *Jan.*, 1661, *note.*) *Pp.* 2½. *S.P. Dom. Signet Office IV.* 161-3.

19 Dec. Whitehall. Draft of the King to Lord Chancellor Eustace for Sir James Ware and Sir Paul Davies.

Ordering him to commission Ware and Davies to administer the oath taken by former Lords Justices to himself (the Lord Chancellor), Roger Earl of Orrery, and Charles Earl of Mountrath. *P.* ½ *and p.* ½. *Two copies, in one of which Sir James Ware is called Sir Francis. Endd. S.P. Ireland* 305, 53 *and* 54.

Same. Draft of the King to the Lords Justices.

Ordering that the following be the King's Privy Council in Ireland, and that the usual oath be administered to them :—

George, Duke of Albemarle.
James, Archbishop-Elect of Dublin, primate of Ireland.
Richard, Earl of Cork, Lord High Treasurer of Ireland.
Thomas, Lord Ossory.
Viscount Conway and Killultagh.
Arthur, Viscount Ranelagh.
John, Viscount Massereene.
Henry, Lord Bishop-Elect of Meath.
William, Lord Caulfield.
John, Lord Kingston.
Sir James Barry, Lord Chief Justice of the Court of Cnief Place in Ireland.
Sir Robert Meredith, Chancellor of the Court of Exchequer.
John, Archbishop-Elect of Armagh, Primate of all Ireland.
James, Marquis of Ormond.
Edward, Earl of Meath.
Arthur, Earl of Donegall.
Henry, Viscount Moore of Drogheda.
Hugh, Viscount Montgomery of Ards, Master of the Ordnance.
Arthur, Viscount Valentia, Vice-Treasurer and Treasurer at Wars in Ireland.
Michael, Lord Bishop-Elect of Cork.
Francis, Lord Aungier.
Richard, Lord Coote of Colooney.
Sir Henry Tichbourne.
Sir John Temple, Kt., Master of the Rolls.

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Sir Philip Mainwaring, principal Secretary of State.
James Donelan, Esq., Chief Justice of the Court of Common Pleas.
Col. Thomas Piggot, Master of the Wards and Liveries.
Sir James Ware.
Sir Robert Forth.
Sir George Wentworth, Kt.
Sir Theophilus Jones, Kt.
John Bysse, Esq., Chief Baron of the Exchequer.
Col. Arthur Hill.
Col. Marcus Trevor.

Two copies, each pp. 1½. *Endd. S.P. Ireland* 305, 55 *and* 56.

General date

DOCUMENTS RELATING TO THE CASE OF CAPTAIN ALEXANDER GRAY.

19 Dec. Copy of Report of Colonel Sir Audley Mervin and Sir Richard Kennedy on the petition of Alexander Gray.

In obedience to the order of reference dated Whitehall, 8 Nov., 1660, we have considered this petition, and find by a letter of Prince Rupert, dated at Kinsale, 7 Aug., 1649, that he promised to give his best assistance for Captain Gray's satisfaction so soon as the King should be in a condition to do it. We find further a certificate by Sir Robert Sterl[ing] then commanding the King's army in Munster, certifying as follows:—

The ship *George* of Leith in Scotland, belonging to Captain Gray, burden about 200 tons, on her return from Spain laden with sack, fruit and some plate put into Kinsale for relief and was there seized by command of Prince Rupert and her goods and lading taken out and disposed of for the King's service. The ship was fitted and used as one of the fleet under Prince Rupert's command. Notwithstanding the King's letter to that end, Captain Gray's ship and goods have not been restored to him.

We have also found some particulars of the ship's lading, dated 10 July, 1649, showing that the ship and her goods amounted in value to £4,659.

We also find a certificate, dated London, 20 July, 1660, and signed by forty of the nobility of Scotland, to the effect that Captain Gray has been loyal to the Royal cause through the late troubles; and we find the King's letters of 5 Nov., 1660, addressed to the Commissioners of Customs, and recommending Captain Gray to be constituted Collector of the Custom House at Bristol; yet he was disappointed of that favour.

We are informed that Captain Gray sold what estate he had to pay the debts which the goods seized would have answered, and that he yet owes £460 for which he is daily threatened to be cast into prison.

We think that the £460 may be charged on the Customs of Ireland and that for the rest he be given a letter to the Parliament of Ireland; and that for his support and that he may be better able to attend his solicitation, we think the King should recommend him to the Lords Justices of Ireland to be one of the Commissioners for Excise and Customs. Those now holding that office are removable at pleasure.' *Pp.* 1½. Dated 15 Dec. *Endd. Ibid.* 57.

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Copy of the King to the Lords Justices for Captain Alexander Gray.

Recommending Gray to the Lords Justices. He has lost much in the royal service, especially through the seizure of a ship which belonged to him for the King's service. He shall be paid £460 out of the Customs and Excise of Ireland and shall have other compensation for the remainder of the loss inflicted upon him. We recommend him for the post of Commissioner of Customs and Excise in Ireland, for which he is recommended by Sir Audley Mervin and Sir Richard Kennedy. *Pp.* 1½. Dated 19 Dec., Whitehall. *Certified by* Sir James Shaen. *Endd. S.P. Ireland* 305, 58.

This concludes the documents relating to this case.

General date 19 Dec.

DOCUMENTS RELATING TO THE CASE OF ROBERT PLUNKET or PLUNKETT.

Petition of Robert Plunkett to the King, showing that:—

Petitioner was always loyal, adhered to the peace of 1648, and was expulsed from his lands by the usurper.

He prays for restoration. *P.* ½. *Underwritten with*—

Order, dated 17 Dec., referring the petition to the Lord Chancellor of Ireland, *and endd. with*—

Report by Lord Chancellor Eustace on the foregoing petition.

Sets out a report, dated 18 Dec. and signed by the Earl of Clancarty, [Sir] Nicholas Plunkett and Sir Robert Barnwell, testifying to the loyalty of Robert Plunkett, of Rathmore, as above. He should be restored. Clause for reprisals suggested. *P.* ½. *Signed. In all, pp.* 1. *Endd. Ibid.* 59.

The King to the Lords Justices for Robert Plunket, of Rathmore, co. Meath.

The Lord Chancellor of Ireland on a report by the Earl of Clancarty and others certifies that he lived loyally during the late rebellion. He is accordingly to be restored to his lands. Clause for reprisals for adventurers and soldiers. *P.* ⅔. Dated 19 Dec., Whitehall. *S.P. Dom. Signet Office IV.* 268.

This concludes the documents relating to this case.

General date 20 Dec.

DOCUMENTS RELATING TO THE CASE OF THOMAS GIFFORD.

Petition of Thomas Gifford, Esq., to the King, showing that:—

Petitioner's ancestors were for their loyalty entrusted for many years by the King's predecessors with the Government of the King's County, in which they loyally served.

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Petitioner therefore now asks for the constableship of Philipstown, in succession to the present constable, Sir Robert Ford. *P.* ½. *Underwritten with—*

Order, dated 12 Nov., referring the above to the Lord Chancellor of Ireland, *and endd. with—*

Report by Lord Chancellor Eustace on the foregoing petition.

Knows that petitioner's father served the royal cause loyally. He was imprisoned for seven years at Chester, where the Lord Chancellor was with him. The petition should be granted. *P.* ⅓. *Signed. The whole, pp.* 1¼. *Endd. in* Nicholas' *hand. S.P. Ireland* 305, 60.

Further petition of Thomas Gifford to the King, showing that :—

The King has remitted all arrears of Crown Rents due to him until Easter last past. Petitioner has to pay a Crown Rent as from then. Had not his father's losses " disenabled " him to pay it, he would not ask that this should be remitted.

He prays for remission especially as a great part of his rent was increased by the late Earl of Strafford when Lord Lieutenant. The burden of the increase, though not intended to do so, fell chiefly on petitioner. *P* ½. *Underwritten with—*

Order, dated 14 Dec., referring the above to Lord Chancellor Eustace, *and endd with—*

Report by Lord Chancellor Eustace on the foregoing petition.

The hardship of the raising of the rents by the Earl of Strafford at the Council Board is well known. The petition should be granted. *P.* ⅓. *Signed. In all, pp.* 1½. *Ibid.* 61.

The King to the Lords Justices for Thomas Gifford.

He is to have a commission to command a foot company in the Irish army. *P.* ⅓. Dated 13 Dec., Whitehall. *S.P. Dom. Signet Office IV.* 153-4.

Same to Same for Thomas Gifford.

On his petition Sir Maurice Eustace testifies to his loyalty. He shall have such relief in the matter of his quit rents as the Lords Justices think right. Dated 20 Dec., Whitehall. *Pp.* ⅔. *Ibid.* 159-160.

This concludes the documents relating to this case.

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22 Dec. PARTICULARS sent to the KING, with his answers thereon.

Whether Recusants shall be of the commission of the peace, sheriffs, and admitted to other offices in Ireland, though they take the oath of allegiance and refuse the oath of supremacy.

Answer. The moderate Papists may be put in commission of the peace and other employments, they only taking the oath of allegiancy, if no positive law be against it.

Whether Recusant lawyers be admitted to practise in the courts in Ireland, taking the oath of allegiance, but not the oath of supremacy.

Whether such of the Protestants as are against the King's Government, and have openly in Court expressed malice against the King's father, be admitted to practice in the Court.

Answer. The like for admitting moderate Recusant lawyers and others if no law be against it.

Whether the Chancellor may for the ease of the poor, and preventing of chargeable suits, determine poor men's causes not exceeding five or ten pounds in a summary and short way upon paper petitions, as was allowed by the King's grandfather James I.

Answer. Approved, as having been formerly allowed.

Whether the Lord Chancellor is *ex-officio* to issue writs of summons to such of the peers there who stand indicted and outlawed of high treason to come to Parliament, or may refuse them such writs if they demand them.

Whether the ancient proprietors such as fall within the King's declaration and are to be restored to their lands when the adventurers and soldiers are to be reprised, are to elect or to be elected members of Parliament in Ireland, or the adventurers and soldiers who are *de facto* not *de jure* possessors of the lands, &c.; whereas in truth the freehold is not in either, but in your Majesty.

Answer. These are to be left to the rule of law, and the Lord Chancellor of Ireland shall act therein as he thinks best for the King's service. *Two copies. Pp.* 1¾ *and p.* ¾. *Endd. The answers in one copy are in* Nicholas' *hand, and it is endorsed in the same. A note to it, in Williamson's hand, states that "these 'apostells'* [*i.e. answers*] *appear to have been dictated by Sir Maurice Eustace, then appointed Lord Chancellor." S.P. Ireland* 305, 62 *and* 63.

22 Dec. Whitehall. The KING to the LORDS JUSTICES for JAMES FITZHARRIES.

He is an infant and grandchild of Nicholas Fitzharries, of New Ross, co. Wexford. Reporting on his petition the Lord Chancellor of Ireland testifies to his loyalty. He is to be restored to his estate, of which he was dispossessed by some order or action of the late usurped power. Usual clauses for execution. (*See below at* 2 *Jan.* 1661, *note.*) *Pp.* 1¾. *S.P. Dom. Signet Office IV.* 182-4.

Same. SAME for COLONEL JOHN FITZPATRICK.

Ordering that he be restored to his lands. Usual clauses for execution. *P.* ½. *Ibid. p.* 298.

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DOCUMENTS RELATING TO THE CASE OF SIR THOMAS NUGENT.

23 Dec. Petition to the King of Sir Thomas Nugent, Bart., showing that:—

Petitioner can prove his loyalty, his submission to the peace of 1648, his ill-treatment and expulsion by the usurper. He refused compensation in Connaught and lived on a small estate of his own in that province, hoping for the restoration.

He prays for reference to people well versed in Irish affairs. *P.* ½. *Underwritten with*—

Order, dated 18 Dec., 1660, referring the petition to the Lord Chancellor of Ireland, *and endd with*—

Report by Lord Chancellor Eustace on the foregoing Petition.

Petitioner has produced to him a letter [*here set out*] from the then Lords Justices and Council to the petitioner, dated 26 Nov., 1641, thanking him for his service in the preservation of his county, and promising both reward for such service, and public employment. He has also produced certificates signed by Viscount Dillon of Costello and others, and by Lord Inchiquin, testifying to the loyalty of Sir Thomas Nugent and his eldest son. The son (Robert) commanded a troop of horse in Ireland. Petitioner should be restored to his lands. Clause for reprisals suggested. *Pp.* 1½. *Signed. In all, pp.* 2. *Endd. S.P. Ireland* 305, 64.

The King to the Lords Justices for Sir Thos. Nugent.

He has petitioned for restoration to his lands and Lord Chancellor Eustace's report on his petition testifies to his loyalty. He shall be restored as an innocent Papist to the lands of which he was deprived by the late power, with the profits thereof as from 24 June last. Usual clauses for execution. *Pp.* 3. *Dated* 23 *Dec., Whitehall. S.P. Dom. Signet Office IV.* 421-3; *and draft of same, pp.* 1½. *Endd. Ibid.* 65.

This concludes the documents relating to this case.

24 Dec. Whitehall. DRAFT of the KING to the ARCHBISHOP-ELECT OF ARMAGH and OTHERS, in answer to their petitions.

We promise to protect the rights of the Church of Ireland and shall be pleased to add to its revenues, "which have been too much diminished by improvident hands and to restore it to its ancient patrimony, so as you need not fear the taking of the rents raised in

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the time of the late Earl of Strafford," nor doubt of our endeavour to make the Church prosperous. You may see a proof of our intention in our late letters directed thither for the settling upon the respective incumbents of impropriate and forfeited tithes in our gift. *Pp.* 1¼. *Endd. S.P. Ireland* 305, 66.

24 Dec. Whitehall. DRAFT of the KING to the LORDS JUSTICES for PIERCE BUTLER.

His petition showed that he had been dispossessed of his lands, &c., at Callan, co. Kilkenny, by the usurped power, although he was in England from the time he was eight years old until the year 1645, and took no part in the Irish rebellion. A report from the Marquis of Ormond shows that he falls within the category of innocent persons, who are to be restored to their estates. He is to be restored accordingly to his lands in Kilkenny and Tipperary. Usual clauses for execution. *Pp.* 2. *S.P. Dom. Signet Office IV.* 163-165.

Same. SAME for JAMES WALL, of Cullnemucky, [Coolnamuck], co. Waterford.

Reporting upon his petition in regard to his lands in Waterford and Tipperary and in Carrick, Lord Chancellor Eustace has testified to his loyalty and the Marquis of Ormond does the same in a separate certificate. (*Details given.*) He is to be treated as an innocent person and restored to his lands. Usual clauses as in foregoing. *Pp.* 2½. *Ibid.* 166-8.

Same. SAME for DUDLEY COLCLOUGH, of Mainart, co. Wexford.

The reports (*as in foregoing*) on his petition testify to his loyalty, sufferings, &c. He is to be treated as an innocent person and restored to his lands. Usual clauses as in foregoing. *P.* 1. *Ibid.* 169. *Also copy of same, pp.* 1½. *Endd. S.P. Ireland* 305, 67.

27 Dec. Whitehall. SAME for SIR GEORGE HERBERT or HARBERT, Kt. and Bart.

Sir George to be continued in the command of twelve horsemen without check in the King's pay in Ireland. Sir Maurice Eustace has reported in his favour. *P.* ½. *S.P. Dom. Signet Office IV.* 175.

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27 Dec. PROCEEDINGS of the COMMITTEE of the HOUSE OF COMMONS for stating the debts of the Army and Navy and other public debts.

The Committee have examined the petition of John Davies, of Carrickfergus, Esquire, and find that there is due to him:—

For plate, &c., supplied to Lord Castlestewart for the use of the garrison of Fort Falkland in Ireland	£940	3	0
For interest on £7,500 lent for the service of Ireland in 1646 on the credit of an ordinance of 23 May, 1646	£1,197	4	10
For sums paid to Col. Algernon Sidney on assignment of an order of the Committee for the Affairs of Ireland, dated 19 Oct. 1648, £1,809 odd, of which is unpaid	£1,298	0	0
For money disbursed in helping the collectors to bring in £69,480 odd, upon which 6*d.* a head was allowed for by order of the Committee for Irish Affairs of 21 Sept., 1648	£1,737	0	0
Total. £5,172 odd.			

The committee decide to report that this sum is due to John Davies. *Pp.* 2. *With a note that the report was received on Dec.* 29, *and then read. S.P. Ireland* 305, 68.

28 Dec. SIR ORLANDO BRIDGEMAN[1] to SECRETARY NICHOLAS.

The bearer, Mr. Sharpe, has petitioned the King for the office of Register of the faculties in the Chancery in Ireland, and has asked me to give my knowledge concerning him. He suffered much for the Royal cause as a "malignant," as we were then called, and at the late trial of the murderers of the late King we used him as "one of our solicitors" to find out witnesses and prepare the business. The place is a small one, but as he has been already the King's proctor in Ireland, and has many friends there, he rather desires it. *P.* 1. (*Hol.*). *Add. Endd. Ibid.* 69.

29 Dec. CERTIFICATE by the EARL OF INCHIQUIN.

Captain Robert Taylor became engaged in the King's service as captain of a troop of horse under Inchiquin and demeaned himself with loyalty and courage. He gave Inchiquin notice of the intention of several officers to revolt. *P.* ¾. *Signed. Endd. Ibid.* 70.

29 Dec. Whitehall. The KING to the LORDS JUSTICES for NICHOLAS COMERFORD, of Wells, co. Carlow.

His petition shows that he is dispossessed of the lands of Wells and "Hamerstown," co. Carlow, which he holds by a lease dated 29 March, 1638, from George Bishop of Ferns, and also of the Rectory

[1] Keeper of the Great Seal and Chief Justice of the Common Pleas.

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of Cloughdagh, which he held by a long lease from Sir Walter Dungan. Lord Chancellor Eustace reports favourably on his case. He shall be restored to his possessions. Usual clauses for execution. *P.* 1⅛. *S.P. Dom. Signet Office IV.* 171-2.

31 Dec. COPY of CERTIFICATE by JOHN [BRAMHALL], Archbishop-Elect of Armagh, JAMES [MARGETSON], Archbishop-Elect of Dublin, SAMUEL [PULLEINE], Bishop-Elect of Tuam, JEREMY [TAYLOR], Bishop-Elect of Down, and WILLIAM FULLER, Dean of St. Patrick's.

Mr. James Vaughan was recommended by the clergy of Ireland and designed by the King for the Chancellorship of Christ-church [Dublin]. He is a Bachelor of Divinity in Jesus College, Oxford, and it was near a month after [*sic*] before Mr. Charles Vaughan came to the city. The name of Mr. Charles Vaughan, however, is put into the list for the name of Mr. James Vaughan by mistake. *P.* ½. *With signatures (not autograph.) Endd. S.P. Ireland* 305, 71.

31 Dec. Whitehall. The KING to the LORDS JUSTICES for PATRICK WARREN.

Directing that in consequence of the report of Sir Maurice Eustace upon his petition he be restored to so much of his land in co. Meath as is in the King's disposal. Clauses for execution. (*See below at* 2 *Jan.*, 1661, *note.*) *P.* ½. *S.P. Dom. Signet Office IV.* 218.

Same. SAME for COLONEL WILLIAM HAMILTON.

Directing that he be granted the wardship of the body and lands of John Cohlan, of Streamstown, King's County, son and heir of John Cohlan, deceased. *P.* ⅓. *Ibid.* 282.

[31 Dec.][1] DRAFT of the WARRANT to the LORD CHANCELLOR OF IRELAND.

For letters to be passed under the Great Seal appointing himself and the Earls of Orrery and Mountrath, Lords Justices of Ireland, with the usual fees and privileges. [There are now to be three Lords Justices, but they are to have £1,500 a year each, as was formerly the case, and apart from this any former grants made to them.][2] They are appointed because "our affairs in Ireland are at present and have for some time passed been much discomposed and out of frame and order for want of the settlement of our government there, which for these late years hath been discontinued; whereby disaffected and licentious persons do and have taken the

(1) *See* Lodge's Peerage of Ireland I. 188.
(2) The clause in brackets appears in one draft only.

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boldness and liberty to themselves to follow licentious and unwarrantable courses to the great disturbance and distraction of Church and Commonwealth and thereby break the bonds of all laws, both divine and humane." *Two copies, pp.* 1½ *and pp.* 1½. *Endd. S.P. Ireland* 305, 72 *and* 73.

Dec. Docquet of grant of the Surveyorship-General of the Customs in Ireland to Henry Monck, Esq., during life after the death of Thomas Mall, Esq. 3 *lines. S.P. Dom. Docquets, Vol.* 19, *p.* 64.

Same. Same. Office of Chief Receiver of the Excise in Leinster in Ireland to Edw. Proger, Esq., for life. *Ibid. p.* 66.

Same. The Office of Chief Ranger of his Majesty's deer and of Master of his game of hunting, hawking, fishing, and fowling in Ireland to Colonel Marcus Trevor during his life at the fee of 50*l.* a year. *Ibid. p.* 69.

Same. The Office of Surveyor-General of all the Excise arising, or which shall hereafter arise or grow due to his Majesty in Ireland, to Wm. Fitzgerald and James, his son, for their lives. *Ibid. p.* 72.

Same. DRAFT of ORDER by the KING in the case of COL. CHRISTOPHER O'BRYAN.

Upon report of Sir Maurice Eustace on his petition, it is ordered that he be put into the estate whereof he or his tenants were dispossessed by the late usurped power. Usual clauses for execution. *P.* ⅔. *Endd. S.P. Ireland* 305, 74.

Same. DRAFT of the KING to the LORDS JUSTICES for GEORGE CARR.

Directing them, on George Carr's surrender of the patents by which he holds the office of Clerk of the Council throughout Munster, to make a fresh grant by patent of that office to George Carr and his son William, or to the longer liver of them, with a fee of £7 10*s.* per annum, according to the last establishment, to be paid, &c. [*details*] with all the fees formerly given to Thomas Burgett, Lewis Briskett, Richard Boyle, Kt., Francis Annesly Randall and Laurence Clayton, George Carr, Adam Meredith, and John Usher or any others enjoying that office. The office to be held as here granted and not *durante bene placito*, in spite of the Statute of Drogheda of 10 Hen. VII. The holders to have their arrears in spite of the fact that a patent is being surrendered. *Pp.* 1⅓. *Ibid.* 75.

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[Dec.] DRAFT OF WARRANT to SIR JEFFERY PALMER, Attorney-General.

For granting to Sir Thomas Armstrong, Kt., his executors and assigns the sole right to make farthing tokens in Ireland for 21 years at the rent of £16 13*s.* 4*d.* a year. The farthings are to be made of copper and to weigh 20 grains a piece or more at the discretion of Sir Thomas Armstrong, and to have on the one side two sceptres crossing one diadem and on the other side a Harp crowned with the King's title "Carolus Secundus Dei Grā. Magni Britannie Francie et Hibernie Rex." The grant to be similar to that granted by Charles I. in 1635 to Lord Maltravers and Sir Francis Crane for making farthings for England, Scotland and Wales. *P.* ⅔. *Endd. S.P. Ireland* 305, 76; *and* Docquet of same, dated Dec., *in S.P. Dom. Docquets, Vol.* 19, *p.* 66.

Dec. DRAFT of the KING to the LORDS JUSTICES concerning AMMUNITION in IRELAND.

There is too much ammunition in Ireland which causes expense, whilst our artillery there is scattered in places where it is not safe. You shall consider this matter and make such alterations therein as you think safe. You shall consult herein with the Master of the Ordnance, Viscount Montgomery of the Ards. *P.* ¾. *Endd. S.P. Ireland* 305, 77.

ADDENDA 1660.

Circ. 1660. MEMORANDUM on the ADVANTAGES which would follow from the establishment of a WOOL STAPLE in IRELAND.

The whole exported wool of Ireland may be bought every year at reasonable rates by one person or company having the requisite privileges. This trade, regulated as may be proposed, will yield 30 per cent. profit, which is a sufficient motive to any one that has sufficient stock, viz., £150,000, taken together with the privilege to have the sole licences to transport wool out of Ireland and to employ it in this trade. A company might be formed to raise the stock.

Other Princes abroad have stocks, the French King the manufacture of lace paper, and salt the Emperor of Muscovy. The Kings of Spain and Portugal and the Duke of Florence are great merchants.

There will be no bad debts in this trade. All the wool will be delivered by the producers in Ireland into one hand before it is paid for, and it will then be sold for ready money in England.

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The wool should go over to England about the end of August. It should be sent in several ships to several ports, thus minimising the chance of loss at sea in time of peace. In time of war the King may provide a sufficient convoy for such a short distance, without prejudice to his other affairs.

Wool is a staple commodity, and is sure to sell within the compass of the year. A rich man, who can afford to wait for a good price, will gain more than many poor men.

The plan would benefit Ireland and English trade. The Irish people will have a certain market for their wool as soon as it is shorn, and will get ready money as soon as they deliver it, whereas now they sell at six months and are often paid in shop goods. They will have as good price as they got "before the late Dutch war, when they gave time or took goods."

The people and trade of England will gain because—

(1) All the Irish wool will come to England. Some of it has lately been taken to Holland and France.

(2) Ireland will be under no necessity to start that manufacture at home (which was the design of the Acts of Prohibition of exporting wool) if she is sure of a good market at a fixed public rate. English wool will be kept up to a reasonable rate when the imported wool is not offered at under rates.

(3) The money gained will be considerable, and will form a fund upon which the King can at any time raise £100,000.

If the King does not think fit to advance the stock there may be a Company which should consist of men of position, and should have all the privileges necessary for the particular trade.

The proposers, Wm. Fitzgerald, of Castledod, co. Cork, and Thos. Sheridan, of Cork city, wish to be general factors or Commissioners for both England and Ireland. They are ready to put in £10,000 or £15,000 a piece.

This paper only to be seen by such as will enter into the Company.

P. 1. *Endd. S.P. Ireland* 271, 78.

Copy of Petition to the King of John Coleman, one of the footmen to the Duke of York, showing that:—

About 15 years ago one John Anderson, of Raf Castle, co. Meath [Rathcastle, co. Westmeath?] cousin german to petitioner, falling at difference with one Gilliam, late of Gafton, in the said county, hurt Gilliam with the blow of a staff so that he died. Anderson is now troubled for this act. Petitioner prays that he may be pardoned for it, as it was done accidentally and so long since. *P.* ½. *Endd. S.P. Ireland* 305, 79.

Same of Sir Joseph Douglas to the King.

Asking for the wardship of the son of Nicholas Wogan, of Rathcoffye [Rathcoffey], co. Kildare, which is in the King's hands. It is of small value, but will help petitioner for his sufferings in some measure. *P.* ½. *Endd. Ibid.* 80.

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PETITION of JOYCE LADY BLUNDELL to the KING, showing that:—

Petitioner, coming over from Ireland at the time of the late rebellion, brought some plate, money, and goods with her, to the value of about £2,000, to Chester. She stayed there till the Parliament's forces threatened to besiege it, when she got an order from the Governor of Chester to go to London with the said plate and goods.

Colonel Baggott, Governor of Lichfield, seized on all this plate and goods, and although ordered to make full restoration by King Charles I., he did not restore anything except some wearing apparel. Petitioner never received the £300 which the late King directed Mr. John Ashburnham to pay her in part of satisfaction.

She prays for payment of this £300 by the Lord Treasurer and for a lease of 61 years of the post-fines and issues of jurors in Ireland under the rent of £5 a year. She is not sure that this will make good the whole loss, but has not yet found out anything else. *P.* ½. *Endd. in* Nicholas' *hand with note that* it is not right that the post-fines should be leased out at all. If they be so, the Barons of the Exchequer should first certify their value. *S.P. Ireland* 305, 81.

MEMORIAL by THOMAS FARREN, of the City of Cork, Esq.

Farren was possessed of a good estate in the north suburbs and liberties of the city, the greatest part of which consisted in houses.

The Irish, on the approach of the English army to besiege the said city, destroyed the greater part of his houses, and he is too poor to re-build them.

Farren, during the late wars in Ireland, raised and commanded a troop of militia dragoons in the city, and was at great expense and charges in equipping himself for that service. He was diligent in his post and never had any recompence for it. He asks for a company in the new levies. *P.* ½. *Endd. Ibid.* 82.

COPY of PETITION of SIR GEORGE HAMILTON to the KING, showing that:—

Petitioner had a patent from Charles I. for farming the Royal mines of Knockendrick or Donnally in the barony of Upper Ormond, co. Tipperary. By labour and expense of above £30,000 more than was ever reimbursed, the mines were brought to such a pitch of perfection that the profits to the King in 1640 were £800 *plus* the duties on the export of lead and the re-import of it in other commodities: besides the maintaining of above 500 Englishmen yearly in that work and many of the natives and divers strangers brought from all nations at a great cost to improve it. All the works above and below ground were destroyed in 1641, and a stock of lead, coal, timber, tools, &c., to the value of about £10,000 was taken from petitioner, besides the loss of the lives of a

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great many workmen. Petitioner is in debt in consequence of these losses. The late King, to recompense him, prolonged the patent, and the Prince (now King Charles II.) under power from his father, gave him a further prolongation about the year 1647 or 1648, by a grant given at St. Germains, to encourage him to restore the mines. Petitioner then returned with the Marquis of Ormond and spent £2,000 in works of restoration, but was again driven away from the mines before he could be reimbursed one shilling. During the time of his expulsion the period of his first patents expired, and his second and third have almost run out.

He prays for a grant of these mines and of all others opened in Munster for 61 years at a rent of 5 per cent. on all gold and silver taken from the mines with all usual immunities and privileges; also liberty to sell unrefined all such ore as cannot be refined with profit to the King. *P.* 1. *Endd. in* Nicholas' *hand. S.P. Ireland* 305, 83.

Copy of Petition of Charles Lord Brandon to the King, showing that:—

Petitioner received commands from the late King to raise several regiments of horse and foot, and in doing so incurred charges, besides losing his estate for nearly 20 years. He lent £8,000 to the King at one time at Cardiff and thereby was exposed to great sufferings.

He prays for a grant of the equivalent of £8,000 in undisposed lands in the King's hands in the cos. Dublin, Kildare, Cork and Carlow or any of them. *P.* ¾. *Underwritten with*—

Order, referring the petition to Lord Brohill [Broghill] and Sir John Clotworthy. *P.* 1. *Endd. Ibid.* 84.

The Marquis of Ormond to the Duke of Albemarle.

Recommends Mr. George Butler, a member of his family, for a command in the Irish army as lieutenant or cornet of horse, or lieutenant of foot. *P.* ½. *Signed. Add. Endd. Ibid.* 85.

Memorandum from the Duchess of Albemarle to Sir Edward Nicholas.

The office of Clerk of the Markets in Ireland not to be disposed of till General Monck or the Duchess be first acquainted therewith. They have resolved to endeavour for the King's grant of the same to William Ross, Esq., in recompence of his fidelity. *P.* ¼. *Endd. Ibid.* 86.

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Copy of PETITION to the KING of JOHN and MAURICE EUSTACE, students at Lincolns Inn, showing that:—

The offices of Clerk of the Crown in the cos. Dublin, Kildare, Catherlogh, King's County, Queen's County, Westmeath, Longford, Wicklow, Louth, the county town of Drogheda and the office of Clerk of the Crown and Peace in co. Kilkenny were granted by letters dated 18 Dec., 1645, to Captain Thomas Eustace and Alexander Eustace for their lives and the life of the survivor of them but in trust for the benefit of Sir Maurice Eustace, Kt., petitioner's uncle, since which time Captain Eustace died.

They pray that they may surrender these patents and receive as grant the said offices with all fees and perquisites and the office of the Clerkship of the Peace in these several counties to them during their lives and the life of the longer liver of them. *P.* ⅔. *Endd. S.P. Ireland* 305, 87.

PETITION of EDWARD LUKE, Doctor of Laws, showing that:—

Petitioner was Advocate-General for Ireland in the time of the late Earl of Strafford and served without pay both in time of peace and in time of war till the war ended. The late King promised him reparation, made him a baronet (not yet passed by patent) and gave him the right of naming a fit person to be baronet with an augmentation of arms. Petitioner was also promised £600 a year out of forfeited lands and the Mastership of the Rolls in Ireland.

He prays that the King will confer upon him the benefits intended to him by King Charles I. He would like the Provostship of Eton, the Mastership of the first fruits in England, or some other English preferment; or, failing these, the Mastership of the Wards in Ireland or some other post of equal value, with lands in Ireland. *P.* ⅔. *Endd. in* Nicholas' *hand. Ibid.* 88.

SAME of WILLIAM LITTELL, showing that:—

The offices of Seal Master of Leather in Ulster, Munster and Connaught are vacant. Petitioner, who has suffered for his loyalty to the King, prays for a grant of them. *P.* ¼. *Endd. Ibid.* 89.

SAME of COLONEL RICHARD TALBOTT, showing that:—

The office of Surveyor of the Irish Customs, formerly granted by patent from the King's ancestors, is vacant. Petitioner asks for it. *P.* ½. *Endd. in* Nicholas' *hand. Ibid.* 90.

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List of Books received from Alderman Foot and the Executors of Alderman Warner, concerning adventures in Ireland.

They were :—

Book of subscriptions for "lands" in Ireland according to the ordinance of 14 July, 1643 : of subscriptions for "houses and lands" according to same : of subscriptions by the members of the Parliament for Ireland : of subscriptions for additional forces by sea for Ireland : of subscriptions for lands in Ireland in 1642 : of subscriptions by way of debtor and creditor : and an extract of that book.

The parties handing these over were given a receipt for them by "his honour." *P.* ½. *Endd. S.P. Ireland* 305, 91.

Note that the troop of horse lately under the command of Captain Aske, who is put from his command for several misdemeanours, is to be conferred on Sir Francis Hamilton.

The foot company lately under Captain Thos. Burrell who is put form his command for the same cause is to be conferred on Charles, eldest son of Sir Francis Hamilton. *P.* ⅓. *Ibid.* 92.

Report on the Guarding of the Irish Channel.

The King has granted Captain Bartlet two ketches one with six and the other with four guns in lieu of two other such vessels which he had furnished and lost in the King's service.

It is necessary that there should be three ketches employed in the Irish Sea between Dublin and Holyhead and the parts adjacent "for the constant conduct of His Majesty's good subjects with speed and safety as well as the carrying His Majesty's messengers and expresses and the public mail with letters: as also the securing those seas from picaroones or other robbers and trubulent persons."

A third vessel should be added for the service, the rather because Mr. Samuel Bathurst, Postmaster of Ireland, is ready to give £300 for this service. *P.* ¾. *Endd. in* Nicholas' *hand. Ibid.* 93.

Draft of the King to the Lord Deputy for the Customs and Excise Service.

Complaints have been made of the administration of Thomas Morrice and Wm. Dodson, who were farmers of the Customs and Excise of Ireland up to June 24, 1660. It is alleged that by various malpractices Dodson has brought us indebted to him above £10,000. You shall issue a commission authorising John Shadwell, Henry Davis, Peter Beaghan, Henry Nevill, Wm. Hanway, James Swarton and Barnaby Madding to examine these debts and questions. The commission shall have free access to all books, power to examine officers, &c. They shall report as to how far we have been defrauded and as to anything else which may seem good to them for our service. *Pp.* 1½. *Ibid.* 94.

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COPY of PETITION to the KING of WINGFIELD, EARL OF ARDGLASS, showing that:—

Thomas, late Earl of Ardglass, petitioner's father, had command of a troop of horse in Ireland, under Charles I. He was compelled by the usurper to pay such heavy fines that he had to sell most of his estate and has not now any lands sufficient to maintain his dignity.

He prays for a command of a standing troop of horse in Ireland. *P.* ⅔. *S.P. Ireland* 305, 95.

SAME of COL. GARROT FITZSIMONS, showing that:—

Petitioner was loyal to the Royal cause both at home and abroad, in which service he suffered loss of blood, imprisonment, and confiscation.

He is a younger son and relies only on the King's bounty. He prays for a troop of horse or a foot company in Ireland. *P.* ⅔. *Endd. Ibid.* 96.

PETITIONS of THOMAS, LORD VISCOUNT BALTINGLASS.

Petitioner's father at the time of Tyrone's rebellion in Ireland had a foot company conferred upon him which was always retained by him till the Earl of Strafford's time, who, at the request of petitioner's father and in consideration of his many services, conferred the same upon petitioner. He continued in it till thrown out by the late Usurper. He prays for restoration to this company. *P.* ½ *and p.* ½. *Two copies, both signed. Endd. Ibid.* 97 *and* 98.

SAME of GEORGE HOPKINS, ESQ., of the Isle of Wight, showing that:—

At the beginning of the late unhappy war of England petitioner's father (Sir William Hopkins, deceased) and petitioner were the first to declare and engage for the King, for which their house was the second plundered in England. At the end of the war, when the King was hurried into the Isle of Wight and in restraint there, they found a way of corresponding with him by letter. At the time of the Treaty of Newport the King honoured them by choosing their house for his Court and entrusted them with his most important affairs till his dying day. When the late King held his Court at Newport, petitioner and his father expended considerable sums of money to the consumption of their poor fortune, by selling the seat they lived in to supply His Majesty's occasions, as is evidenced by sixty-six letters in His Majesty's own handwriting. Some of these have lately been presented to the King in support of a former petition, which failed by reason of a former grant.

Petitioner now prays for command of a troop of horse in the standing army in Ireland. *P.* ⅔. *Endd. Ibid.* 99.

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PETITION to the KING of GARRETT MOORE, ESQ., showing that:—

He served the Royal cause loyally as commander of a troop of horse under the Marquis of Ormond. For these services he was removed and sequestered of his whole estate by the late usurped powers.

He prays for restoration to his property and command. *P.* ½. *Endd: in Nicholas' hand,* "Order for a field company." *S.P. Ireland* 305, 100.

COPY of PETITION of MRS. JANE COOPER and MR. THOMAS GILBERT, Executors of WM. GILBERT, ESQ., their uncle, deceased, showing that:—

Petitioners' uncle was employed by your Majesty's father as overseer of the admeasurements in the provinces of Connaught and Munster in Ireland, and performed his duties with efficiency. The late King rewarded petitioner's uncle for his services by assigning to him a piece of land in the intended plantation of Connaught and Munster. When this plantation was "graciously remitted to the Irish" the King recommended him to the Lords, gentlemen and freeholders of the Irish, that they should allow him a halfpenny on each acre for his pains. He would have had this but for the outbreak of the rebellion.

He prays for a grant of a halfpenny on each acre in the said intended plantation, or else for the right to transport 800 packs of wool, which is far less in value, or for a lease of certain fishings of the present value of £100 with a small rent reserved to the Crown. *P.* ½. *Ibid.* 101.

SAME of SIR HENRY TICHBORNE to the KING, showing that:—

He is owed £3,337 18*s.* 9*d.* for arrears for payment whereof there is no provision made in the King's declaration for the settlement of Ireland.

He prays that it be paid out of the forfeited lands in Louth, Dublin, Kildare or any one of them according to the rate of a deficient adventurer. *P.* ½. *Endd. Ibid.* 102.

SAME of SIR GEORGE WENTWORTH, showing that:—

Petitioner was Provost Marshal of Leinster in Ireland by patent from the late King. He had also a troop of horse in the standing army there, both which posts he enjoyed until the surrender of Dublin by Ormond in 1647. The Parliamentary Commissioners then took the command from him.

He prays for restoration thereto. *P.* ½. *Endd. Ibid.* 103.

1660.

List of Pretenders for Standing Troops in Ireland.

Lord General.	Lord-Lieutenant of Ireland.
Duke of Richmond and Lenox.	Marquis of Ormond.
Earl of Strafford.	Earl of Desmond.
,, Roscommon.	,, Clanbrazil.
,, Arglass [Ardglass.]	Lord Falkland.
Lord Grandison.	Lord Montgomery of Ards.
Lord Moore.	Sir G. Wentworth.
Sir Geo. Blunden [Blundell.]	Sir Thos. Armstrong.
Col. Cary Dillon [for his own troop.]	Mr. George Hopkins, of the Isle of Wight.
Capt. Annesley, who quitted his troop rather than serve against the King.	Lord of Eastmeath.

P. ¾. *Endd. and partly written in* Nicholas' *hand. S.P. Ireland* 305, 104.

Further List of those now pretending for the Standing Troops in Ireland.

Similar to foregoing but not containing all the names given therein. Contains also the names of the Earl of Lichfield, and Sir John Borlase. *P.* 1. *In* Nicholas' *hand. Ibid.* 105.

Draft of the King to [the Lords Justices].

We approve of the suggestions contained in your letter of the 12th of last month to the Duke of Albemarle concerning the settlement and number of our foot companies in our standing army in Ireland. We approve of the list of captains which you sent, and our desire is that if any colonel or captain named by you as refusing to sign the address lately made to us persist in that refusal, then the regiment belonging to such colonel shall be conferred upon Sir Edward Massey, and the two companies which shall thereby fall void shall be bestowed upon two of those eight persons whom you propose as captains to be taken into our standing army there. We direct you, in that case, to take them into the said army, so as then, the full [number of] companies being sixty-one, the supernumerary company cease and determine by and upon the first avoidance that shall happen. If the aforesaid colonels or captains or either of them shall subscribe the said address and so continue in their charges; then only seven out of the eight persons offered shall be taken into the army and Sir Robert Hannay shall be left aside. The supernumerary company shall determine upon the first avoidance or avoidances as aforesaid. *Pp.* 1½. *Endd. Ibid.* 106.

1660.

PAPERS RELATING TO COL. CARY DILLON'S CASE.

Reasons humbly tendered to the King for continuing Colonel Cary Dillon in his troop in Ireland [given by Col. Dillon].

1. It was given him lately for services in Ireland against the King's enemies.
2. He has been zealous in the King's service and served in the Irish brigade "here."
3. He served many years with untainted loyalty in Ireland under the Marquis of Ormond, to whose character he appeals. The Marquis has certified this.
4. He raised at his own expense a troop of horse for service under the Marquis of Ormond's command.
5. His father, the Earl of Roscommon, was long in His Majesty's service as a Privy Councillor and received high proofs of the King's favour.
6. His father died in command of a troop of horse held by patent from the King.

As the King has given troops to others for this last reason "the petitioner" prays that he may have his troop. *P.* ¾. *Endd. S.P. Ireland* 305, 107.

Copy of the Marquis of Ormond to General Monke.

Recommending Col. Dillon as fit to command a troop in Ireland. *P.* ½. Dated 1 Aug., 1660. *Ibid.* 108.

Copy of Arthur Annesley, P.C., to [Same.]

Same in substance as foregoing. *P.* ½. Dated as foregoing. *Ibid.* 109.

This concludes the papers relating to this case.

NOTE ON LORD FALKLAND'S CASE.

"I pray think of my poor Lord Falkland and give him one of the standing troops of horse in Ireland." *P.* ⅛, *in* Clarendon's *hand. Underwritten with the words—*

"I do intend to do it" [*in the* King's *hand*]. *Endd. in* Nicholas' *hand* "Lord Chancellor's paper delivered the King for a standing troop in Ireland for Lord Falkland, and His Majesty's note upon it." *Ibid.* 110.

1660.

List of Persons offered to be of His Majesty's Council of Munster.

The Archbishop of Cashel.	Thos., Earl of Ossery.
Richard, Earl of Barrymore.	Francis, Viscount Shannon.
Richard, Viscount Dungarvan.	Michael, Bishop of Cork, Cloyne and Ross.
Edward, Bishop of Limerick and Kerry.	George, Bishop of Waterford.
John, Lord Kingston.	Sir Wm. Fenton.
Sir Wm. Penn.	Arthur Denny, Esq.
John Percevall, Esq.	Col. Randle Clayton.

With a note:—"Your lordship will be pleased to remember to procure an order for a mace and a provincial seal." *P. ⅔. Endd. S.P. Ireland* 305, 111.

Abstract of some Forged Recognizances and other Deeds amongst the Records of His Majesty's Court of Common Pleas in Ireland, discovered and vacated by the said Court.

Under the name of John Brice, of Dublin:—

	£.
Col. McMahon, of Leek, co. Monaghan. James Delafield, of Deraneshalge [Derrynashallog] in same.	3,800
Thomas Burnet, of Ballyleek [Ballyleck], co. Monaghan.	4,800
Roger Gernon, of Stybannan [Stabannan], co. Louth.	—
Patrick Clynton, of Drumcashell, co. Louth. Nicholas Clynton, of Irishtown, co. Louth. John Hadsor, of Cappock [Cappoge].	4,000
John Dromgoole, of Drumgolstown [Dromgoolstown], co. Louth. Thomas Tallant, of Drumcar, co. Louth. Peter Clinton, of Dowdstown, co. Louth.	4,000
Gerald Byrne, of "Drumme," co. Wicklow. Teig Oge Byrne, of Ballinvallagh, [Ballinvalley], co. Wicklow. James McFelim Byrne, of Teagromeene [Tigroney ?], co. Wicklow.	3,000

Under the name of Sir Robert Forth, Kt. :—

Thomas Cusack, of Staffordstown, co. Meath. Symon Porter, of Kingstown, co. Meath. William Dillon, of Flintstown, co. Meath.	4,000

Under the name of Edward Barry, of Dublin :—

Edward Nugent, of Bracklin, co. Westmeath. Jacob Tyrell and Edward White, of "Balrathneoslie," co. Westmeath.	3,600

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	£.
Wm. Moore, of Rosmead, co. Westmeath. Edward Nugent, of Scurlockstown, co. Westmeath. Thos. Tuite, of Baltrasney, co. Westmeath. Richard Tuite, of Rathnira [Rathnure], co. Westmeath.	3,200
Under the name of Morogh, Lord Inchiquin :—	
Daniel Clancy, of "Ballyworñ," [Ballyvorneen?], co. Limerick.	1,500
Under the name of Robert Arthur, of Dublin :—	
Col. M'guire, Baron of Enniskillen.	3,000
Walter Cruise, of the City of Dublin.	600
Jacob Delafield, of Derenshalgh [Derrynashallog], co. Monaghan.	2,300
Peter Clynton, of Dowdstown, co. Louth.	200
Under the name of John Gibbons, of Dublin :—	
Peter Clynton as above.	1,200
Under the name of James White, of Pitcherstown :—	
George Russell, of Rathmollyn [Rathmullan], co. Down. Christopher Barnewall, of Ratheskree [Rathescar], co. Louth.	2,000
Edmund Realey, of Cavade [? Cavan *de*], Cavan. William Moore, of Barmeath, co. Louth.	25,000
Under the name of Henry Nugent, of Mappestown [Mapastown], Westmeath :—	
Edward White, of "Balrathnasly," Westmeath.	—
Jacob Farrell, of the same Andrew Tuite, of Dublin Myler Fay, of Ballynruin — Westmeath. (*sic.*)	1,000
John Drake, of Navan, Meath.	1,000
Under the name of Nicholas Barnewall, of Turvey, co. Dublin :—	
John Hadsor, of Cappogh [Cappoge], co. Louth.	—
John Fitzjones of Painestown, co. Meath. James White, of Clonegall, co. Meath.	2,800
Under the name of Sir Bryan O'Neile, Kt. :—	
Walter Stanley, of Slane, Meath.	600
Sir Phelim O'Neill ; Arthur O'Neill, of Clabb, co. Fermanagh.	1,000
Thomas Kent, of Damestown, co. Meath. John Stokes, of Michelstown [Micknanstown], co. Meath. James Dowdall, of Ricestown [Ricetown], co. Meath.	1,600

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	£.
John Taaffe, of Braganstown, co. Louth. George Russell, of Rathmoylin [Rathmullan ?], co. Down. John Russell, of Killough, co. Down. George Russell, of the same.	1,000
Mathias Ledwick, of Ballinelack, co. Meath. Richard Ledwick, of Cookstown, ,, John Warren, of Churchtown ,,	1,800

Under the name of Nicholas, Viscount Netterville :—

John Stanley, of Marlstown and Rowland Stanley, of Gallstown [Gaulstown], co. Louth.	1,600

Under the name of Walter Whyte, of Pichardstown :—

Richard Dalton, of Rowlandstown, co. Westmeath. Walter and John Dardis, of Johnstown, ,, Richard and James Ledwick, of Parcellstown ,,	3,600
Patrick Cruse, of Brittas, co. Meath.	1,800

Under the name of Christopher Sherlock, of Kildare :—

Sir John Sherlock, of Little Rath, co. Kildare.	—
Christopher Fleming, of Clonlion, co. Meath. John Beatagh, of Walterstown, ,, Christopher Plunket, of Ardmaghbrig [Ardmaghbreague], co. Meath.	2,200

Under the name of Elizabeth Mapas *alias* Arthur, widow of Patrick [Arthur], of Dublin :—

James White, of Clongell. James Fitzjones, of Painestown.	2,600

Under the name of Gerald Aylmer, of Balrath, co. Meath :—

Richard Aylmer, of Dillarestown [Dollardstown], Meath.	4,000
Richard Ledwick, of Cookstown, co. Meath. Michael Moore, of Greenanstown, ,, Francis Waffer, of Gainstown, ,,	3,800

Under the name of Thos. Wakefield, of Dublin :—

John Stokes, of Michelstown [Micknanstown], Meath. Christopher Dowdall, of Ricestown [Ricetown], co. Meath. George Fleming, of Killarey, co. Meath.	1,800
Christopher Dowdall, of Killally, co. Louth. John Draycott, of Mornanstown [Mornington], co. Meath.	1,800
Patrick Cusack, of Gerardstown, co. Meath. John Draycott, as above.	1,400

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Under the name of George Fleming, of ————, co Meath :—

	£.
John Drake, of Drakerath, co. Meath. John Balfe, of Cregg, co. Meath. George Fleming, of Killarey, co. Meath.	2,000

Under the name of Roger Gregory, of Sheepgrange, co. Louth:—

Christopher Dowdall, of Reistown [Ricetown], co. Meath. Patrick Dowdall, of Louinstown, [Loughanstown?] do. Walter Stanley, of Fennor, do.	1,800

Under the name of Sir Maurice Eustace, Kt. :—

Alexander Eustace, of Blackrath, Kildare. Rowland Eustace, of Blackhall, „	1,200
Christopher Eustace, of Newland, „ Richard Eustace, of Blackrath, „	3,940
Total value	£80,940

Pp. 3. *Endd. in* Nicholas' *hand. S.P. Ireland* 305, 112.

A Short Memorandum what is to be looked unto in the North of Ireland.

To take notice that there are 40,000 Irish and 80,000 Scots in Ulster ready to bear arms and not above 5,000 English in the whole province besides the army.

The army itself consists of few people, and half of these were born in the country, " being of Scotch and Irish extraction, although they have the English tongue." If speedy care be not taken the English power in the country will become very weak, and this will be found if ever there be occasion. The course now taken with the army, if not prevented, will soon make it inconsiderable for the following reasons :—

1. Several have prevailed to bring companies of foot for their own ends, to their own lands that they may better improve their estates and bring more grist to their own mills. These lie in places useless for their own preservation or the help of others if occasion should require.

2. "The soldiers lying thus out of garrisons and near woods, many of them, and in the country at large, give opportunity to the priests to come to the Irish in these companies to seduce them " as they did before the late war. When the companies were scattered in places in which the captains could make most profit out of them, the priests could come at them and induce them to join with the rest of the Irish and cut the throats of the English in these companies. If the companies had been kept in good garrisons on the sea coast this could never have been attempted, " and although the Scotch and Irish are at present very quiet yet most of them desire and have hopes to be what at present they are not,"

1660.

At this time [there are] but three companies in the town of Carrickfergus and not many more at Derry, too few to keep the castle of the one or citadel of the other, and therefore of no terror to Irish or Scotch, nor of use to the poor English abroad in the country if occasion require. The smallness of the garrison is an invitation to the Irish and Scotch to rise and do mischief. If there were more companies here and on the sea coast they would soon become an English plantation if the things now desired be effected. [They are]:—

That every soldier in the army who is well able to live and stays in [the army] only to receive pay, and pays no cess, be disbanded; and that every industrious person that hath a desire to go forth of the companies to plant in the country be permitted to do so.

That instead of these so many new English may be yearly brought out of England to place in their rooms. The army hereby would be as strong, the country much stronger in English; and the country would soon change both in industry and in the number of English. Without this it cannot be an English plantation "seeing both town and country in a manner swarm with the Scotch."

"It were convenient for this part of Ireland that all the Scotch who now wear bonnets did wear hats. This would bring a trade now in Scotland into Ireland, which would be at least £10,000 yearly." It would not only employ men of that trade now here but bring 300 or 400 more of the same trade to follow that work, which would be of great advantage, "and it would not be so visible to themselves in a short time that they were so numerous nor so great a discouragement to the English, who in all fairs and markets see a hundred bonnets worn for one hat, which is a great prejudice and doth wholly dishearten the English there already and those who would come over out of England."

The garrisons of Carrickfergus and Derry should be garrisoned with 800 men each and provisioned for 3 or 4 months. £3,000 would do this; and if the fact were known it would discourage attempts on these forts. If these two forts are safe there is no danger in the province. Carrickfergus was lost "in General Monk's time" through want of provision, though there were men enough in it. Derry had been lost when the President of Connaught was in it but that two ships of Mr. Davies lay in the harbour laden with fish, which Sir Charles Coote took to victual the place. He thus saved it and was a great occasion of preserving all Ireland. The recruiting the armies out of the army in England and disbanding the men able to live without being soldiers and industrious men who desire to return to their labour will occasion much more industry here and fewer idlers in England. The charge therein will be only the cost of transporting men from England which is about half-a-crown a piece. By this course Ireland will yearly be 3,000 stronger in Englishmen, because I suppose that twenty men of every company may go off yearly.

It would be a very good thing to send the soldiers from Ulster to Munster and Leinster and to bring men of those provinces here because:—

1660.

1. The Irish and Scotchmen in the army here were born hereabouts and are too well acquainted with their countrymen to discourage any of their attempts.

2. The English soldiers themselves in this province are most of them married to Scotch and Irish women, who remain too friendly to their parents and the country people. The soldiers in the other provinces are also generally married to Irish women and will do the same if they continue among their friends. "This was found to be truth in the late rebellion wherein several English soldiers having married with Irish [there were] few or none of them or their children but joined with the Irish rebels and did as much harm and more to the English than any. This is most certain."

3. The private soldier will not mind removing as he has almost in every case sold his land to his officers. Not one in fifty of them have a foot of land in Ireland.

4. The officers, having soldiers on their land, never attempt to bring over more English from England. What money they got they spent in buying more land and did not "use for the most part any great industry" on the land. This means that there is little industry there.

5. If the soldiers are thus removed there will be more "fear and wariness" both in them and in the country people about them. The Scotch and Irish "do not in any kind love one another," and being thus strangers to each other they will not dare trust one another; nor will the women be so ready to persuade their husbands to disregard their duty.

Another advantage which will arise from placing strong garrisons in Carrickfergus and Derry is the effect which it will have on Scotland. Carrickfergus and Derry are 70 miles asunder by sea, and both "lie on the coast of Scotland." It will be a terror to Scotland to see so many men so near and provisions ready to carry them, "for there none can be had and that the Scots know: for Loughabor [Lochaber] and the garrisons in Scotland all along the coast have their victuals hence."

Care should be taken to preserve the woods in Ireland to the State. In the County of Londonderry alone did the State reserve woods, for there, though the city was allowed to take timber, it was only to take it for building. The rest of the timber in Londonderry was reserved to the King. Yet Col. George, who is by the City made overseer of the woods, has given so many warrants under pretence of reparations that "there is more timber consumed this year than would have built the city of Derry and Coleraine and this timber sold into Scotland for hogshead barrell staves to be sent to France and other parts and not the fortieth part employed for the use intended." The woods have been much spoiled in the last seventeen years and especially in this year. If present care is not taken they will be destroyed and a very valuable property be lost to "the States." Direction should be sent to the Council here to appoint an overseer of the woods and one not concerned in the city, and direction should be given to examine the spoil done that some may be punished as a warning to others. If this be not done the State will be at a loss if it should have to build shipping in this land.

1660.

Directions should also be given to the Council here not to give warrants as freely as formerly they did for cutting of timber for parks to be made out of the "County." This timber was given in other ways and this consumed the woods extremely. This is suggested for no other purpose than preservation of the woods. These woods are the only timber in Ulster. The warrants given by Col. Cromwell or "Gorge" should be stopped if not already executed. There are some given that will never be satisfied if not stopped.

"As to other parts of Ireland I dare not be so positive as in this, yet I will presume to assure you that there is upwards of 120,000 of the Irish nation in them. Yet let Ulster be kept quiet and they dare not stir. "For all the time of the wars, Ulster dealt with the whole power." *Pp.* 3½. *Endd.*: "The North of Ireland: Short memorandums to be looked unto. A little before 1660." *S.P. Ireland* 305, 113.

COPY of PETITION of THADY BYRN to the KING, showing that:—

Petitioner's father was pursuivant to the Court of Exchequer in Ireland for thirty years before the rebellion which office he filled faithfully till he died at the age of 70.

Petitioner served in the Marquis of Ormond's army in the rebellion. He prays for the office of pursuivant in the Exchequer. *P.* ½. *Endd. Ibid.* 114.

PETITION to the KING of SIR JOHN and SIR MAURICE EUSTACE, KTS., showing that:—

Petitioners are patentees of the office of Clerk of the Crown and Peace in several counties in the province of Leinster in Ireland, and which are now executed by their deputies, and are concerned in a law suit before the King's Commissioners of Delegates at Exeter House, which requires their attendance for some time in England.

They pray for licence to be absent from Ireland for six months and for an order that they be not prejudiced by their absence from their posts in time past. *P.* 1. *Endd. Ibid.* 115.

"THE HEADS OF THE INTENDED DECLARATION BY THE CONFEDERATE PROTESTANTS OF IRELAND."

We have long since expected the securing to us of our lives, liberties and properties as the result of the King's restoration, "instead whereof we find ourselves our wives and little ones with our estates delivered up as a prey unto those barbarous and bloody murtherers whose inhuman cruelty is registered in the blood of 150,000 poor Protestants at the beginning of the war in this kingdom, which doth appear by these ensuing sad and infallible symptoms."

1660.

First. That notwithstanding all those obligations of oaths and covenants lying on His Majesty for the extirpating of Popery and discouraging such grand malignants, he hath suffered himself to be so far seduced by evil councillors that even those aforesaid bloody Papists that were the leaders of the people into that barbarous massacre were the first that tasted of his Royal clemency, in having their justly forfeited estates at his first coming in by paper orders taken from the Protestants illegally and conferred on them; and those that had them not then received salaries out of the Exchequer until they were restored, although the poor suffering Protestants despoiled by them never had any recompense for their losses."

2. The money advanced to pay the Protestant army, "which under God is the means of our preservation from their bloody attempts, is disposed of to gratify the aforesaid inhuman butchers of the poor Protestants, whilst our said army perish for want of pay."

3. "The Lord Lieutenant, unto whose protection we are committed, doth not only execute the said practices, but hath owned his keeping an intimate correspondency with several of the said murderers during their hostility, as appears by his certificates in their behalves to the Court of Claims, to which may be added the House of Commons in the Kingdom's apprehensions declared in the Speaker's speech to the Duke—by all which circumstances we may undoubtedly—as David did—conclude that evil is determined against us; and before it is executed, which would be too late, stand upon our just and necessary defence and use our utmost endeavours for our self preservation, and, like the people with Saul when he intended to requite the incomparable deserts of Jonathan with death, to stand up without the authority and say, 'As the Lord lives, Jonathan shall not die.'"

We shall stand "for the liberty of conscience proper to every one of us as a Christian, for the establishing of the Protestant religion in purity according to the tennor of the Solemn League and Covenant, the restoring to each person his lands as he held them in 1659, the discharging the army's arrears, the repairing the breaches made upon the liberties and privileges of the Corporations in the three kingdoms, in all which we doubt not but the Lord of Hosts, the mighty God of Jacob, will strengthen our weak hands." *Two copies, practically identical. Pp.* 2¾ *and* 2½. *Both endd. S. P. Ireland* 305, 116 *and* 177.

ABSTRACT of the NUMBER of ACRES held by Virtue of PRIVATE GRANTS made by usurped powers before May, 1659.

Gives the number of acres so held in Dublin, Louth, Carlow, Kildare, Kilkenny, Queen's Co. and Meath, and also in Cork, Clare, Tipperary, Waterford, Roscommon and Galway, and in Ulster and Connaught.

The entries are divided into two columns. The first column contains such of the private grants as are supposed to be now in the King's dispose, the second of such of the private grants as it is supposed that the King may intend to confirm.

1660.

There are, besides, the lands given out to the Pope's and Nuncio's party.

Other details as to forgery of debentures, fraud in twice satisfying debentures, &c. *P.* 1 *followed by*:—

An Abstract of the Total of Acres in the dispose of the late Powers on 7 May, 1659.

List follows of acres so to be disposed of in Dublin, Louth, Kildare, and Carlow; also in Cork and in Kerry [*figure for Kerry not given*], in the baronies of Carbery, Dunkerron and Iveragh.

The totals are for Leinster 130,000 odd acres, and for Munster 372,000 odd. The total of English acres satisfied in Ireland comes to the value of £50,000 odd. Those that claim by the double Ordinance, being paid their principal sum according to the Act rates, are overpaid by £53,000. The estates of attainted persons and of others excepted in the Act of Indemnity, viz., so much thereof as is at present found according to the Act rates, is 53,500 odd. *P.* 1. *In all pp.* 2. *S.P. Ireland* 305, 118.

Memorandum of Petition of Giovanni Battisti Benzie.

An Italian gentleman, named Giovanni Battisti Beuzie, coming from the province of Massare [Massa, in Tuscany?] who for a long time has traded at Amsterdam in Holland, where he has acquired considerable property, having heard some time ago that there is in Ireland, and especially in "the province of" Limerick, an abundance of wool and a good market of victuals [*bon marché de vivres*], and having also been informed of the proclamation of the King of England licensing all strangers to go and live in the said country and to render it fertile in all [things?] and to introduce commerce by land and sea, is determined to send thither a clerk with money to buy lands and labourers to make manufactures there. Having sent some [person] from the town of Leyden to employ them in making bays and such like stuffs which will be a greater business because Benzie has great facilities for retailing them in Spain and Italy, whither he can send every year a good many vessels and can bring by these means subjects from Massa to work the land which he may purchase in Ireland; he prays for the King's favour and especially for naturalisation for himself and for those whom he may bring with him, they undertaking to act as loyal subjects.

It is prayed that the Prince Palatine represent these matters to the King and inform him of the importance of this matter. There is a vessel laden with the men and goods necessary to begin this project and ready to start from Holland for the 20th of the month at latest. Despatch is necessary and the King's favour is asked without delay. *Pp.* 1¾. *French. Endd. Ibid.* 119.

1660.

COPY OF PETITION to the KING of the NOBILITY and GENTRY of the ENGLISH PALE in IRELAND, showing that:—

Their ancestors were the army which conquered Ireland for England and they have since been loyal in all times of commotion and rebellion. In Nov., 1641, the "English Colonies of the Pale" by their representatives in the Parliament in Dublin condemned the insurrection of that year. They were however not trusted by the then Government in Dublin, were not allowed to sit in Parliament and were "commanded to their country habitations. Whereupon the unrepressed conspirators for want of timely resistance increased into a vast and formidable body and marched into the bowels of the said English Pale" the natives whereof, being both unarmed and distrusted by those in Government, were forced to contribute to the rebel army. By taking arms in self-defence many of them became involved in rebellion. They were however forgiven by Charles I. when peace was signed, and have since willingly suffered much for the Royal cause.

As the whole of the English Pale is now in the King's hands and disposal, they pray that the merits of their ancestors may be remembered and that they may be settled in their former estates. *P.* ⅔. *Endd. S.P. Ireland* 805, 120.

The CASE of the KING'S DISTRESSED SUBJECTS of IRELAND, who were ousted of their estates by the late usurped GOVERNMENT and are not yet restored.

When the usurper Oliver Cromwell invaded Ireland, the whole country except Dublin and Londonderry was in strict obedience to the King under the Duke of Ormond; and petitioners enjoyed all their rights except what was withheld from them in the places which held out for the usurped powers. They contributed in support of the King's service and in resisting the usurper; but he grew more powerful and the Lord Lieutenant had to leave the country. The Marquis of Clanricarde, however, determined to maintain the Royal authority as long as possible and the petitioners and such as were Roman Catholics were then the chief supporters of the Royal cause.

Above 50,000 men of this persuasion were killed in the field or in the defence of garrisons.

After the battle of Worcester had taken all hope of relief from the King's adherents they laid down their arms, and those who were fit for war were transported and banished at foreign parts.

The petitioners' lands were seized and shared among the soldiers or taken for the purpose of the Government, "only that then some small parcels of land in Connaught and Clare were assigned to some that stayed at home as an expedient to reduce the Irish nation into a corner, that so their lives might be subjects to every displeasure of those tyrants under whom they suffered extraordinary hardships, and were imprisoned at every rumour of his Majesty's approach to recover his kingdoms."

Those who went abroad flocked in great numbers to where the King was, though at great disadvantages, as the King acknowledged. . . . *Pp.* 3½. *Imperfect. Endd. Ibid.* 121.

1660.

Copy of Petition to the King of Edward Dowdall, of Clonlyon, co. Meath, showing that:—

Petitioner's father, John Dowdall, of Clonlyon as above, had before the war an estate in Meath, Cavan and Monaghan. The usurped power kept him out of it for years for no other reason than his being a Roman Catholic. He never bore arms.

Petitioner served under the King abroad for ten years and was in the late expedition to Spain as a domestic servant to His Majesty. He prays that he may be restored to his estate. *P.* ⅔. *Endd. S.P. Ireland* 305, 122.

Copy of Petition to the King of Robert Ardagh, shewing that:—

In 1650, the Marquis of Ormond appointed the petitioner Clerk of the Estreats and "Sumonister" of the Court of Exchequer in Ireland.

By reason, however, of "the distemper of the times" petitioner had no opportunity to pass his patent according to the said grant. He has suffered much for his loyalty, being deprived of his appointment and rendered incapable of serving in any public post to maintain himself, wife and great charge of children.

He prays for confirmation in the post mentioned above. *P.* ⅔. *Endd. Ibid.* 123.

[After 2 Dec.] Petition to the King of Thomas Dillon, shewing that:—

Petitioner was loyal to the Royal cause during the late war, and was expelled from his estate by the late usurper. He prays for restoration. *P.* ½. *Underwritten with*—

Order, dated 1 Dec., 1660, referring the petition to Lord Chancellor Eustace, *and endd. with*—

Report by Lord Chancellor Eustace on the foregoing Petition.

Has seen a certificate of the Earl of Clancarty, Lord Dillon, Lord Taaffe and Sir George Bingham, dated 2 Dec., 1660, testifying to the petitioner's loyalty, &c. He falls within the declaration and should be restored. *P.* ½. *Signed. In all pp.* 1½. *Endd. Ibid.* 124.

1660.

The KING to the LORDS JUSTICES for PHILIP FITZGERALD, of Allen.

Requiring that he be put in possession of the lands in Kildare and elsewhere not in the hands of adventurers or soldiers whereof his brother Maurice, who was slain at the head of a company against Cromwell, died seised. The usual rents, and a further rent of 3*d.* an acre out of the profitable lands, to be reserved whether an office be found entitling the King thereto or not. *Pp.* 1½. *Endd. S.P. Ireland* 305, 125.

COPY of PETITION to the KING of the COMMISSIONED OFFICERS who served King Charles I. in Ireland before June 5, 1649, showing that:—

Several of their number have petitioned the King by separate petitions to have the land set out to them [for arrears for service done] before 1649 in the county, city or town which they desire. If these petitions are granted the result will be that the present petitioners as a whole will suffer. Petitioners do not think that the King intended such a result to follow from his Declaration and Instructions for the distribution of the security given to them as a whole.

They pray that no preference be granted to particular persons and that the warrants issued for granting them may be recalled. *P.* ½. *Endd. Ibid.* 126.

FRAGMENT of the COUNCIL of STATE to the LORD ————.

There is due to Col. John Hodder, £663 6s. 8d., lent at different times for the use of the State. A great deal of it has been long due, as will appear by an account which we shall "suddenly" present to you. He has special occasions to go for England and "is desirous to take the sudden opportunity of Captain Stoakes' frigate for his passage, the rather because of the approaching season of the Bath, which he hath necessity to use, and also for better security from the pirates of Silly, which we hear are very busy in the way." We hope your lordship will let him have a bill of exchange, payable in England. This will support our languishing credit and answer his urgent occasions; and we desire that he receive payment as he is always ready to supply our necessities. . . . . *P.* ½. *Mutilated. Endd. with—*

Order, dated 6 March, 1660 [?], for payment to Col. John Hodder for £663 6s. 8d. from the sums appointed for payment of the forces under the command of the Lord Lieutenant of Ireland in repayment of a sum lent by him to the Commissioners of the Revenue at Cork in Ireland for the use of the army. *The whole p.* 1. *Add.* . . . . pty-General of Ireland, humbly these," *and endd.* "Col. John Hodder, of Cork." Also with seal. *Ibid.* 127.

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Copy of Petition to the House of Commons of Sir John Gifford, Kt., Sir Maurice Eustace, Kt., Speaker of the House of Commons in Ireland, Colonels Willoughby and Flower, Lieut.-Cols. Rives, Capron and Smyth, Major Stevens and Captain Pierce, showing that:—

Petitioners, except Eustace and Willoughby, who were afterwards restrained, were committed close prisoners to Dublin Castle on Saturday, 22 July. They received from Col. Jones on the Monday following at nine o'clock in the morning, orders for their going to sea within half an hour. These orders coming suddenly and unexpectedly, they petitioned for means for their journey. They had few resources, their estates having been destroyed by rebels and they being undone by the falling down of Owen O'Neile into our quarters. The soldiers who are petitioners here had only received pay during three months of the last year, and then only for one day in each week. Petitioners were answered that the State would provide for them when they reached Chester, and thereupon they were sent away within the limited time.

They pray that the House in recognition of their services will provide for them, that if any charges be brought against them they may have a copy of the same to prepare their defence; and that if there be no charge against them, they may be enlarged. *P.* ¾. *Endd. S.P. Ireland* 305, 128.

The humble Remonstances and Addresses of the King's Protestant Subjects inhabiting and residing in the Kingdom of Ireland, as well officers as gentlemen freeholders and inhabitants of the several Cities and Corporate Towns in Ireland delivered to the King and the Lords and Commons assembled in Parliament.

It has always been accounted an honour of the King's predecessors to subdue Ireland, not for profit, but as a security to England. "Such was and ever will be the bloody rebellious and traitorous disposition of the mere natives of the country that neither the anger and correction by armies of your puissant predecessors nor their clemency and indulgent favour in the two to [*sic*] often pardoning of their prodigious rebellions and treasons, would ever deter them or change their minds, till at length, out of the height of rebellion to their Prince, inveterate hatred of the English nation, and the bloodiness of their Religion, they resolved all as one man to cast off all obedience to their Sovreign and to extirpate the name and race of the English, especially such as were Protestants, using such barbarous and bloody cruelties as do exceed the story of most ages, whereby they murdered many hundreds of thousands of the Protestant subjects of this kingdom." The late King by the advice and consent of his Parliament proclaimed as rebels all such as were in rebellion or aided and abetted in it in 1641, and by several Acts of Parliament granted lands in Ireland to those who should advance money to reduce the rebels, and enacted that none

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of the rebels should be pardoned except by Act of Parliament, and by other his letters requested Parliament to care for Ireland. This they did by sending over troops, and finally the country was subdued more completely than ever before. Former Parliaments have pardoned the Irish, on these occasions, but we think that to pardon any of the rebels, especially the chiefs of them, except such as were Protestants, would bring about another rebellion, and frustrate the whole policy of plantation and of extirpating the Papal authority selling up of a Protestant magistracy and increase of the Royal revenues.

The officers employed by the Parliament in this service should be satisfied of their arrears by giving them rebel hands. These should be confirmed to them, otherwise the King's interest will not be preserved. Those Protestants who are still in Ireland and those who died there suffered greatly at the hands of the rebels, and many of them adventured great part of their estates in defence of the English cause.

The corporate towns are now mostly inhabited by English and Protestants and governed by them, whereas before the war it was difficult for a Protestant to get an office in any town. It is enacted by several acts, that persons who endeavour to bring in the Popish religion into Ireland, shall be accounted rebels; and by King Henry VIII. and Queen Elizabeth it was enacted that any who should refuse to abjure the Papal supremacy and ecclesiastical jurisdiction and were not Protestants, should be held unable to hold any authority or serve these Sovereigns or their successors. Parliament should now enact that no person who is not a Protestant should have a seat in either House of Parliament or hold any office of trust, and that nobody should exercise the Popish religion in the kingdom "where there were more Protestants destroyed at one time than in the whole world for many ages past." The soldiers who have got lands should have them confirmed by Act of Parliament, and those who have none should be satisfied with lands. The Protestants should be encouraged and able and Godly divines sent over to teach the Protestant religion, "it being in reason far more advantageous for your Majesty and the kingdom of England, which is too narrow for its people, rather to strengthen your home dominions by planting your own native subjects in this land, which is so near a neighbour, than they to be at the trouble and charge to go to the West Indies or other places which is so far off." The officers who have already served in Ireland should be re-employed before others who do not know the country. The various acts for settling Ireland with Protestants and for suppressing Popery which were passed by the late Parliaments should be revived.

A Postscript to the House of Lords.

The Irish rebels and their heirs should be kept out; and we trust you will concur in passing laws which will make the English safe in this country and will protect the King's interests and improve

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his revenue here. The Roman Catholics in Ireland have caused a great waste of men and money and have never been serviceable to the crown of England. The officers should have the forfeited estates of the rebels. This will be the best means of subduing the country. We are loyal to the King and showed our loyalty by accommodating the sheriffs and chief officers in each county and corporate town when His Majesty was to be proclaimed. No Papist should be allowed to sit in either House of Parliament or other place of authority where they would be judges of their own and their fellows' cases; and there should be an act of attainder to convict those who cannot be otherwise convicted, owing to the death of witnesses. If this is not done few estates will be settled. Irish Papist rebels should not be restored to live amongst us, "for many English have turned Irish in name and manners, but few of the Irish ever turned English in manners." *Pp.* 4.

A Postscript to His Majesty.

We are no enemies to your Majesty, but have fought against your enemies here and accepted your Declaration published at Breda. Then it is argued that because your Majesty and the Irish rebels suffered at the same time and by the same hands, therefore when you are restored they should be. "By the same rule there must be some affinity between the sufferings of the two thieves and our Saviour Christ on the Cross which were blasphemy to affirm as the other treasonable to urge; for they suffered for breach of the law and justly, and Christ innocently for the salvation of mankind; so your Majesty suffered for seeking after your own and endeavouring to restore your kingdoms to their liberties, the rebels for breach of law," &c. Those who would establish an affinity between your Majesty and the rebels would make you an accessory to their murders, which God forbid.

If the Irish are restored to their estates they will use their utmost power to do you an injury, and those rebels would not live contentedly beside Englishmen when they are their equals or masters. If any Irish are restored, their estates should be far away from the English.

Other reasons are given for not allowing the Papists to sit in Parliament or have any place of authority or trust. *Pp.* 1½.

A Postscript to the House of Commons.

Refers to the unchangeable desire of the Irish for freedom; their late attempt to bring in the power of the See of Rome and other foreign power. "An Englishman may better live a slave under the Turk than under Irish superiors;" and the Irish themselves know how they prosper under the protection of English rule as compared with "the extravagancy and destructiveness of the Irish Governors." *Other details.* As to our arrears it will be granted that if England were invaded by a foreign foe we should be bound to fight for her ruler against that foe, "although we should be under the worst usurper that could be." This fact was recognised in the case of

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naval expenditure. The seamen were paid their arrears and the debts of the navy were paid in full because they had been incurred for defence of the nation. We fought also in its defence and were sent over here by those to whom the late King entrusted the management of the war in Ireland. The country is now quiet and we have supported the restoration; and we believe that "such as before were enemies will now in the enjoyment of their estates and liberty, prove true subjects to his Majesty.

We suggest that the late Acts of Parliament and orders of the Council of State for reducing the Irish be revived; and Irish rebel Papists should only have what is over after the claims in those lands have been satisfied. *Further suggestions follow* for repression of the Irish Papist rebels similar to those in the main petition. *Pp.* 1¾. *In all pp.* 7¼. *S.P. Ireland* 305, 129.

Draft of the King to John, Lord Berkely.

We lately wrote to you on the case of Thomas Hill, craner of the port of Dublin, whose case has since been referred by you to Chief Justice Booth, Chief Baron Bysse, and Baron Povey. The craner is ready to submit himself to their judgment as to the reduction of fees though therein he gives up a right secured to him by our patent. We learn, further, from Hill's son that so many goods are imported by the merchants direct to their doors without passing through the crane that the profits of the office disappear. The craner shall therefore be entitled to charge the same fee for goods landed elsewhere as for those which pass through the crane itself. *P.* ⅔. *Ibid.* 130.

Copy of Petition to the King of John St. Leger, Esq., showing that:—

In 1640 there was justly due to petitioner's father, Sir Wm. St. Leger, late President of Munster, nearly £3,000 for his entertainments, for which warrants were issued to the Treasurer of Ireland that then was. The sum was never paid and consequently petitioner is unable to pay his father's debts and legacies and to support himself "as becometh your Majesty's service." As there is a sum of [£400] due to the King from the heirs of George Carlton, late Clerk of the Hanaper and Clerk of the Crown and Petty Bag of that kingdom, for King's silver and perquisites of those offices, petitioner prays that he may have this sum and that a warrant may issue to him accordingly. *P.* ½. *Endd. Ibid.* 131. *Followed by*—

Draft to the King to the Lords Justices.

Granting the petition. The sum of £400 due to the King from Carlton's heirs shall be recovered and used to pay what is due to St. Leger; or, if already recovered, shall be so used. St. Leger's receipts shall be given to Carleton's heirs and be a good discharge. *Pp.* 3. *Ibid.* 132.

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Copy of Petition of Richard, Lord Baron of Collooney[1] to the King, showing that:—

The town and lands of Collooney, Co. Sligo, were, together with other lands, formerly in the hands of Bryan McDonagh, of Collooney. They are secured to petitioners by the King's favour and petitioner has spent much upon them in building and improvements.

Petitioner is informed that on the marriage of the said Bryan with John Lord Taaffe's daughter, Bryan's estate was settled upon his lordship and his heirs males in case Bryan should die without heirs males. Bryan did so die and petitioner may therefore be challenged as to these lands, by Theobald, now Lord Taffe, which, before petitioner's improvements, was worth £400 a year.

On account of the great improvements which petitioner has made, Lord Taaffe is willing not to claim restoration, provided he may recover reprisals for what he gives up.

Petitioner prays that such reprisals may be given and confirmed to Lord Taaffe. *P.* ¾. *S.P. Ireland* 305, 133.

About end 1660.[2]

Petition to the King of Thomas Gifford, showing that:—

Petitioner's grandfather was a loyal servant to Queen Elizabeth and King James. He was finally murdered by the Irish rebels, leaving petitioner's father an infant. His said father served the Royal cause under the States of Holland. In reward therefor the late King ordered him 1,000 acres in the Tipperary plantation, but as that plantation did not take place, the King's intention was not accomplished.

Petitioner's father, Sir John Gifford, having served the King loyally, having been despoiled of most of his estate and had his house burnt by Sir Luke Fitzgerald, and having had no gain by the Tipperary grant, the late King granted him Tecrohan [Ticroghan] and the lands thereof in co. Meath, formerly belonging to Sir Luke Fitzgerald. This grant also took no effect "the petitioner's father being by the imprisonment and morose usage of that bloody tyrant Cromwell brought to an early and untimely death, at that time the only proper reward of loyalty." This would have ruined his family but for the Restoration.

Petitioner hopes that, as he has inherited the misfortunes of his ancestors, so he may succeed to the place which they gained in the Royal favour and service; and that he may have a grant of Sir Luke's lands as above. *P.* ¾. *Ibid.* 134.

Dec.

Draft of the King to the Lord Deputy for the Earl of Mountrath.

In recognition of his services there shall be set out to him the lands, &c., set out in Ireland for payment of arrears to Oliver Cromwell, John Moore, commonly called Col. John Moore, Robert Phayer,

(1) Created 6 Sep., 1660. In June, 1661, Theobald Viscount Taaffe was made Earl of Carlingford.

(2) *See* 26 Nov., 1660, *above*, *p.* 99.

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commonly called Col. Robert Phayer, one of that wicked guard of halberdiers present at the murder of our Royal dear father," John Duckinfield, commonly called Lieut.-Col. Duckinfield, who is a person incapable of our grace and favour. Pending the grant he shall have the right to collect the rents and arrears of rents due upon these estates and the Barons, &c., of the Court of Exchequer in Ireland shall put them out of charge.

If it should turn out that we have no interest in any part of these lands you shall make good the deficiency to the Earl by grants from the forfeited lands of any others of the murderers of our late father, or of the wicked guard of halberdiers. All previous grants of the lands mentioned herein are hereby cancelled. This grant shall be as effective as if it had formed part of our instructions to our Commissioners for executing our Declaration. *Provided* that "if it shall hereafter appear that there will not be lands in our said kingdom sufficient to satisfy the reprizes of such adventurers, soldiers and other reprisable persons as, by the restitution of the ancient proprietors unto their former estates by virtue of our said Declaration, are to be removed from the lands in their possession, then our pleasure is that the said Earl of Mountrath be only permitted to purchase the same or so much thereof as he shall desire . . . . by planting thereon such allowed and just adventures, arrears, reprizes, incumbrances, and decrees as he shall think fit which according to the tenor of the said Declaration are satisfiable thereupon."[1] *Pp.* 2¼. *Endd. S.P. Ireland* 305, 135.

END OF S.P. IRELAND 305.

S.P. IRELAND 306.

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1661.
1 Jan. LETTERS [presented by certain CROMWELLIAN MINISTERS] to the EARL OF ORRERY.

We have come together at Clonmel to thank you, on your safe arrival, for the King's gracious favours to us. We are grateful for them and for the King's largeness of heart and shall serve him loyally. The King might well have doubted our sincerity "yet we did assure your lordship though we judged it possible for a sincere Christian to mistake in his judgment and consequently in his choice as to the most supreme and sovereign authority when two or more persons or powers are in competition in a nation about it, and may thereby come to fall under the just censure of the prevailing or surviving [?] power for disobedience to Majesty contrary to what we before professed. Yet we did not believe there is the least

[1] This is the first instance of this reservation in these documents.

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colour or pretence for any who make the word of God their rule to be found in the least disobedience, much less secret plottings or open resistance against a settled government, exercised by an undoubted lawful authority as we had and do own his Majesty to be." We are ready to rid ourselves of "those jealousies and suspicions that seem as yet to remain of a contrary principle and temper in us." We shall be loyal and shall endeavour to repress disloyalty. *Pp.* 1½. *Endd. in* Nicholas' *hand. S.P. Ireland* 306, 1.

[See Orrery's *State Letters*, Vol. I. pt. 2, p. 38, where this letter is given in full as enclosed in one of Jan. 2, 1661.]

2 Jan. The KING to the LORDS JUSTICES for JOHN BRYAN, of Jenkinstown, Co. Kilkenny, Esq.

The Marquis of Ormond approves of the petition of Bryan concerning certain houses with their appurtenances in the city of Kilkenny. The Marquis certifies his loyalty, &c. He shall be treated as an "innocent person" and restored to these houses, &c. All persons possessed of the premises under colour of any actings of the late powers are to deliver up the lands to him. The Lords Justices and Sheriffs shall assist in the execution of this order. The Barons of the Exchequer shall put out of charge any rent charged on the premises under pretence of any title lease or interest derived from the late usurped power. *P.* 1. *S.P. Dom. Signet Office IV.* 181-2.

Same. SAME for Sir MAURICE HARLEY.

The Earl of Inchiquin and Sir James Barry, Chief Justice of the King's Bench in Ireland, have reported favourably on Harley's petition for restoration of his lands in Co. Limerick, held by some persons under a lease from the late power. They testify to his loyalty. He shall be restored as an "innocent person." Usual clauses for execution by the Lords Justices and Sheriffs, eviction of those who occupy by virtue of any lease from the usurped power, and cancelling of charges upon the premises—for which see foregoing.[1] *Pp.* 2. *Ibid.* 192-3.

Same. SAME for JOHN GRACE, of Ballilynch [Ballylinch], Co. Kilkenny.

He is to be treated as an "innocent person" and restored to his lands in Kilkenny, King's Co., and Tipperary.

Reprisals to be given to soldiers or adventurers who may be in occupation of his lands. Usual clauses for execution. *Pp.* 2. *Ibid.* 194-5.[2]

(1) These final clauses are repeated frequently at this period in the drafts in the Signet Office book and elsewhere. They are hereafter calendared as "usual clauses for execution, &c."

(2) *See* also draft dated 31 Jan., 1661.

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2 Jan. Whitehall. The KING to the LORDS JUSTICES for DR. WM. PETTY.

All the debentures for soldiers' service which belonged to Petty on or before 9 May, 1659, in Ireland shall be forthwith satisfied to him, and, in recognition of his services in the distribution of lands he shall have favour shown to him in any matter in respect of which he may be affected by our Declaration of 30 Nov. last. *P.* ¾. *S.P. Dom. Signet Office IV.* 433-434.

3 Jan. Whitehall. SAME for the MARQUIS of ORMOND.

Confirms the grant to him of the wardship of Edmund Walsh, of Castle Hoyle, made on 16 Dec. last. Reprisals clause. *P.* ½. *Ibid.* 297.

3 Jan. Post Office, Cork Hill, Dublin. JAMES VAUGHAN to JOHN FLOYD, D.D., one of the King's Chaplains in Ordinary.

Worthy John,

You know what a snare I am like to be brought into by the mistake of my Christian name by one Mr. Charles Vaughan who has the King's privy signet for the chancellorship of Christchurch in Dublin. Though I appeared before the Commissioners for Affairs in Dublin and Ireland, with certificates by the Primate and Bishop of Down, affirming myself to be the person designed by the King to be Chancellor, yet was it but coldly relished, nor received of equal value with the King's Signet; so that unless you bestir yourself to have a revocation of the mistake and the King's letter to Charles Vaughan, I must expect to be baffled out of my hopes. I have sent you a copy of the certificate of my right and nomination to the place which the Primate and other Archbishops and Bishops have given me under their hands, of which you may make use for my restitution to it. This is to be done by application to Secretary Lane and the Marquis of Ormond, who (as Bishop Taylor informs me) put [my name in?] with his own hands. The Primate, Archbishop of Dublin, and Bishop of Down will use their influence in my favour. They will, if possible, delay the Seal till justice can be done. I beg for your intervention and wonder that you have neglected me at this distance from you. I ask you be no longer neglectful. Things are very dear here, and seeing no chance of getting anything upon the other part of the preferment, I have been spending on my own stock. *P.S.* My antagonist is ill qualified for church preferment and has no claim except on the ground of past sufferings. *P.* 1. (*Hol.*) *Add.* "to my honoured friend, John Floyd, D.D., and one of His Majesty's Chaplains in Ordinary. Let this letter be left at the sign of the *Boult* in Fleet Street for James Floyd, Esq., or, in his absence, to Mr. Edward Vaughan at his chamber in the Paper Buildings in the Inner Temple, near Ram Alley." *S.P. Ireland* 306, 2.

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12 Jan. Whitehall. COPY of SIGN MANUAL WARRANT to the LORDS JUSTICES for JOHN, son and heir of CHRISTOPHER EUSTACE of Newland, co. Kildare.

Ordering a grant to Eustace of the town and lands of Newland, co. Kildare, by letters patents, and also such lands as his father was dispossessed of by the late power and are not in the possession of any adventurer or soldier. A commission to issue to define these lands. *P.* ½. *Certified* by Sir Maurice Eustace to be a true copy. *Endd. S.P. Ireland* 306, 3.

13 Jan. Same. DRAFT of SAME to SAME.

Directing them to prepare letters patents for giving to themselves or any two of them power to act as Lords Justices [*i.e.* instead of giving power to *all* the Lords Justices] and full usual salaries and privileges. Two drafts, one fuller than the other. *P.* 1, *Endd. and P.* ¾, *Endd. Ibid.* 4 *and* 4*a. The first endd. with note, "Approved of,* 1 *Mar.* 1661."

15-19 Jan. ——— to MR. BATHURST.

I hear from you of the reason why the packets are not regular. Captain Bartlett is the only person of whom we know that he is engaged in the service. *P.* ½. *Add.* to Mr. Bathurst dated 15 Jan. and *attached to*:—

[SECRETARY NICHOLAS] to the LORDS JUSTICES and COUNCIL of IRELAND.

I have put your letters of the 2nd before the King in Council. He approves your action and wishes you to continue the same care for the settlement of the kingdom. To avoid any difficulty which might arise from the placing of power jointly in all the Lords Justices, he has ordered the passing of Irish patents vesting the power in them or any two of them. *P.* 1. Dated 19 Jan., Whitehall. *In all, pp.* 1½. *Endd. Ibid.* 5.

General date 15 Jan. DOCUMENTS RELATING TO THE CASE OF MARGARET, BARONESS DOWAGER [BOURKE] OF BRITTAS.

Petition to the King of Lady Brittas, showing that:—

Petitioner's deceased husband, John, Lord Brittas, was in 1655, forcibly expulsed by the usurper out of the manor of Milerstown [Mylerstown], co. Kildare, by one John Hughes, who pretended a grant from the late usurper. These lands belonged to petitioner's husband in right of herself, having come to her through a settlement, long before 1641 of her first husband, Walter Bermingham. In spite of several orders by the late usurped power, and a decree given in petitioner's favour and an order of the Council erected by the secluded members in confirmation of the said decree, Hughes still holds these lands. Petitioner's [second] husband's

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patrimonial estate in co. Limerick, being of a considerable value, was also seized by the late usurped power before any examination [had] of his qualifications, and was never restored to him or his children, even after an investigation had shown that he was wrongly deprived of it. Part of it named Colloghtroy [Castletroy?] is still detained from petitioner by Sir Hardress Waller or his tenants and servants.

As she and her husband have always been loyal, she prays for restoration and for her rents since 24 June last. *P.* ⅔. *Underwritten with*—

Order, dated 12 Dec., referring the petition to the Lord Chancellor of Ireland, *and endd with*—

Report of Lord Chancellor Eustace on the foregoing petition.

I have considered the Baroness Brittas' petition. It appears that by an office taken after the death of Walter Bremingham, of Dunfert deceased, her former husband, it was found that Walter by a fine and indenture made in 1637, declaring the uses of the said fine, settled the manors of "Milerstown [see foregoing], Coblestown [Colbinstown ?] [1] Clontoran [Clonkeeran], Driste [Driett or Drehid: *see next document*] and Courtstown" [Courtown] on Lady Brittas for her jointure. This claim was allowed by the usurper's "Court for the Adjudications of Claims," when it was declared that no title was made thereunto by the Commonwealth, so that I think that the petitioner should be put into possession at once and left to take her remedy by course of law against Hughes, who unjustly dispossessed her. As to the lands of Castletroy which the petitioner claims, articles were produced before me by which Theobald Lord Bourke of Brittas covenanted to settle those lands upon the petitioner for her jointure and entered into bonds to perform these articles. The deed was not produced before me, but I saw an affidavit taken before one of the Masters of Chancery of England that the said deed was perfected of the said lands and petitioner's husband put into possession of divers lands in the said deed expressed; and that they received the issues and profits thereof, until the late usurped power in Ireland. If this be true, as I think it is, the petitioner should be settled in the four ploughlands of Castletroy and the rest of the lands supposed to be settled on her, the adventurers and soldiers being first reprised. The Lords Justices should see this done. *P.* 1. *Signed. In all, pp.* 2½. *Endd. S.P. Ireland* 306, 6.

Draft of the King to the Lords Justices for Margaret, Baroness Dowager of Brittas.

A report by Sir Maurice Eustace on her petition shows that the manor of Mylerstown, the villages and lands of "Calfstown, Clonnkerane [Clonkeeran?], Driett [Drehid], and Courtstown [Courtown], co. Kildare, were, in 1637, settled upon her by her first husband,

(1) Mr. G. Flood suggests Calfstown.

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Walter Bermingham, as a jointure for her life; that she and her second husband enjoyed them till dispossessed by John Hughes, who was no soldier or adventurer; that the jointure was allowed by "that Court which was called the Court of Adjudication of Claims" and no title therein was found for the Commonwealth; that the petitioner should be left to her remedy against John Hughes, as to the mesne profits thereof since the death of her second husband; that she should be settled in possession of the two plough lands of Castletroy (alias Callaghtroy) and the rest of the land settled upon her by Theobald Lord Brittas upon her second marriage. This jointure consists of "the Castle, town and lands of Grenanbegg [Grenanbeg], Knockruo [Knockroe], Enishinlawrence [Laurencetoun], the castle, &c., of Knocktanacastlane [Knocketanecaslane], and Dunemona [Dunnaman], the same of Rathjordan, the village and hamlet of Temple Michael, the villages, hamlets and lands called Garganike [Garranikee], and Cleduffe [Clyduff],[1] all in Limerick or the city of Limerick. She is to be restored to the above lands as an "innocent person." John Hughes is to deliver up possession to her. She shall also be restored to the lands of Castletroy, which were settled upon her as a jointure by her second husband, and which were lately occupied by Sir Hardress Waller, and shall have all profits since 24 June last. Usual clauses for execution, &c. (*see p.* 179 *note*). *P.* ¾ (*large*). *Two copies. One endd. in* Nicholas' *hand.* One dated 15 Jan. *S.P. Ireland* 306, 7 *and* 8.

This concludes the documents relating to this case.

[Probably about 15 Jan.][2] PETITION to the KING of the CAPTAINS of the OLD ESTABLISHMENT in IRELAND, showing that:—

They served the Royal cause in Ireland for many years before the rebellion there, and being those that first opposed it, continued in command till 1647. When the Marquis of Ormond delivered up the Government they lost their posts and were imprisoned and prosecuted for their lives. They pray for restoration to these commands. *P.* ⅔. *Signed by* Captain Philip Wenman, Sir Faithful Fortescue, Capts. Robert Byron, Francis Boteler, Robert Stewart, Sir John Stephens, and Daniel Treswell. *Endd. Ibid.* 9.

15 Jan. LORD KINGSTON to SECRETARY NICHOLAS.

The Lord Steward appointed me to let you know that the salaries of Sir John Stephens, as Governor of Dublin Castle, and Col. Dan Treswell, as Governor of Galway, are to be inserted in the warrant, and desired that 27*s.* 6*d.* per day be allowed to Sir John Steephens [*sic*], and 14*s.* a day to Col. Treswall [*sic*]. *P.* 1. *Add. Ibid.* 10.

(1) Mr. G. Flood has helped me with these identifications.
(2) *See* next document.

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COPY of SECRETARY NICHOLAS [?] to LORD CHANCELLOR EUSTACE.

15 Jan. Whitehall. I am glad to hear of your safe arrival in Dublin. The King according to your instructions has written to you and the other Lords Justices to swear Dr. Jeremy Taylor Bishop of Down and Privy Councillor of that Kingdom.

The King approves your reasons for not swearing in Sir Robert Meredith, who forfeited the appointment given him by the late King, when he quitted the "Right Seal" whereby he was appointed Chancellor of the Exchequer and undertook to act "under the late horrid usurper's seal." His Majesty is resolved to appoint another Chancellor of the Exchequer. Who it will be I do not know, and I wish you had recommended a fit man. You will also receive herewith a like letter on behalf of John Eustace as was formerly written on behalf his father Christopher.

When the King was absent last week at Portsmouth, we had some alarm by risings of a few fanatics who were as soon knocked down as they appeared in arms. About 20 have been killed and as many taken and they were not in all above 60 men, "most of them fifth-monarchy men, who said they fought for King Jesus." The prisons in and about London are full of them and there are also some in prisons and houses of correction in the country. Princess Henrietta is sick of the measles at Portsmouth, but not in any danger. *Pp.* 2, *to which is attached—*

NOTE (in SIR MAURICE EUSTACE'S hand) on IRISH AFFAIRS.

To the first. The moderate Papists should be put into the Commission of the Peace and other employments if they only take the oath of allegiance; if there be no positive law against it.

To the second and third. Moderate recusant lawyers should be admitted to practise if there be no positive law against it.

The point regarding determination of causes upon paper petitions, &c. This to be allowed of and much approved.

To the fifth. This to be left to the rule of law. The Lord Chancellor to add to the members of the Parliament as he thinks best for the King's service. *P.* ¾. *In the form of draft of answers to a petition. In all, pp.* 3½. *S.P. Ireland* 305, 11.

15 Jan. The KING to the LORDS JUSTICES for MICHAEL son and heir of JOHN BARRY, of Rathrush, co. Carlow.

The Earl of Inchiquin and Sir James Barry, Chief Justice of our Bench in Ireland certify on Michael's petition that his father died in our service in Flanders and that the son is an infant, a Protestant and had no part in the rebellions in Ireland. He shall have the benefit of the clause in our Declaration for the settlement of Ireland which directs the restoration of those who fought in our service abroad, and shall be restored to the lands inherited from his father. Usual clauses for execution (*see above, p.* 179 *note*). *Pp.* 2. *S.P. Dom. Signet Office IV.*, 184-6.

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15 Jan. Whitehall. The KING to the LORDS JUSTICES for GERALD FITZGERALD, of Timogue, in Queen's Co., in Ireland.

The Earl of Inchiquin and Sir James Barry certify on his petition that he helped the Royal forces in the late rebellion and voluntarily delivered the castles of Moyreth [Morett] and Tymogue [Timogue], to be garrisoned by them; these castles being well stored with provisions. Afterwards these castles were redelivered to him. He shall be restored as an innocent person. Usual clauses for execution (*see above p.* 179 *note*). *Pp.* 2. *S.P. Dom. Signet Office IV.* 187-9.

15 Jan. Court at Whitehall. DRAFT of [SECRETARY NICHOLAS] to the EARL of MOUNTRATH.

I have your Lordship's of the 2nd and the 5th. The King approves your reasons for giving Lord Ranelagh a longer time, but expects him to be here within the time now allowed him. The Fifth-Monarchists have been endeavouring lately to get into a head, but by the diligence of the City have been quelled and orders are given for punishing according to law such as have been taken actually engaged in these late attempts. The people everywhere are eager to suppress those whose principles are "so generally destructive of order and government." *P.* 1. *S.P. Ireland* 306, 12.

15 Jan. COPY of CERTIFICATE by the MARQUIS of ORMOND, at the request of "COL. JOHN KELLY, of Corrabeg, ESQ."

I certify that Kelly raised a company of foot under the command of the Marquis of Clanricarde in 1641. He did good service and assisted the King's Protestant subjects in Connaught. At the peace of Sigginstown, in 1643, he was included by name in the quarter assigned for the Marquis of Clanricarde, with the party under his command, as adherents to the King's Protestant subjects. He continued there till I left Ireland in 1647. When I returned to Ireland he served under me in command of a troop of horse and was with me in camp before Dublin. He was constantly loyal. *P.* ⅘. *Ibid.* 13.

15 Jan. Whitehall. The KING to the LORDS JUSTICES for CAPTAIN WM. HAMILTON.

James Hamilton of Manor Hamilton, died leaving only two daughters, Sidney and Hannagh. As a reward for Capt. Wm. Hamilton's services we grant him the wardship of these two girls. *P.* 1. *S.P. Dom., Signet Office IV.* 442-3.

16 Jan. Whitehall. SAME for ROBERT, son of ROBERT and AMY BICKERTON.

Granting him an estate in co. Ardmage [Armagh] which he has through his uncle, Henry Stanhaw, provided that the Lords Justices find that the facts alleged in his petition are true. *P.* ⅓. *Ibid.* 255.

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17 Jan. Whitehall. The KING to the LORD JUSTICES for HERCULES HUNCKES.

Sir Geoffrey Palmer, Attorney-General, and Sir Heneage Finch, Solicitor-General, in their report on his petition consider him a penitent person and hope well of him in the future. He shall have the benefit of our Declaration in relation to his arrears and lands, notwithstanding a clause therein which excepts from its benefits all who were "of the guard of halberdiers assisting to put the bloody sentence of death in execution upon the 30th January, 1648" [9]. *P.* ¾. *S.P. Dom. Signet Office IV.* 203.

18 Jan. BARON HUGO HAMILTON to SECRETARY NICHOLAS.

"Noble Sir,

Being born subject in this Kingdom of Ireland, and one third brother who went abroad for 32 years ago to seek my fortune in the wars, where it hath pleased God to bless me not only with the title of Lord Baron within the Kingdom of Sweden, but also with satisfactory and reasonable means there, and in my native country an estate of £750 a year; and having these many years had one great longing to retire myself and fortune home to my native country, but found not any fitting occasion" till now that the King is restored, I desire to spend the rest of my days in Ireland, At the instance of Lord Midleton and afterwards of Lord Latherdeale [Lauderdale] the King has given me the title of Baron in Ireland if I will retire there. I shall willingly dispose of my estate in Sweden and retire there, where I shall always be ready to serve the King. I ask your favour for the passing to me of a patent of Baron Glennauly. *P.* 1, *in bad English. Signed with seal. Endd. S.P. Ireland* 306, 14.

CERTIFICATE of W. BELLENDEN, R. SANDES and ART[HUR] FORBES.

Testifying to the loyalty and long service of "Lord Hugh Hamilton." *P.* ½. *Signed by the above. Endd. Ibid.* 306, 14*a*.

19 Jan. Whitehall. The KING to the LORDS JUSTICES for DONOGH, EARL of CLANCARTY.

Directing that he be restored to his estates of which he has been deprived in the tyranny of times past. Usual clauses for execution (*see above p.* 179 *note*). *P.* 1. *S.P. Dom., Signet Office IV.* 191, and draft of same, *pp.* 4. *S.P. Ireland* 306, 15.

[19 Jan.[1]] DRAFT of SAME to SAME.

Directing that Edward Synge, B.D., Dean of Elphin, be advanced to the Bishopric of Limerick, vacant by the death of Bishop Sibthorp. Owing to the 'exilitie' of the Bishopric, the Bishoprics of

(1) *See* the *Liber Hibernicæ* for date of patent.

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Ardfert and Aghadoe, vacant by the promotion of Bishop Fulwar [Fuller] to the Archbishopric of Cashel. The rectory of Traderie [Tradry?] shall also be held by the new Bishop. He shall have restitution of the temporalities and enjoy the mesne profits from the date of this letter. *Pp.* 2. *S.P. Ireland* 306, 16.

19 Jan. Whitehall. The KING to the LORDS JUSTICES for JAMES, EARL of CASTLEHAVEN.

Directing that in consequence of the report on his petition sent in by the Marquis of Ormond and Lord Chancellor Eustace, he be restored to his lands in Kildare, Cork, and elsewhere. He shall come under the branch of the Declaration which deals with persons who served the Royal cause abroad. Usual clauses for execution (*see p.* 179 *note*). *Pp.* 1½. *Ibid.* 199-200.

Same. PRINTED COPY of a PROCLAMATION by the LORDS JUSTICES and COUNCIL.

"Whereas divers persons in several parts of this Kingdom commonly called Tories or woodkerne, have of late betaken themselves to lewd, wicked and unlawful courses, stealing and robbing and spoiling his Majesty's good and loyal subjects, and do stand upon their keeping, so as they are not amenable to law: and whereas humble suit hath been made unto us by divers of those persons, namely John Costegin, Edward Cashen, James Shiren, and others of them, to be received into his Majesty's mercy, they pretending that they have not had their hands in blood;" we have decided, though we might proceed with more severity, to offer to all of these woodkerne who have not had their hands in blood the favour which has now been asked by some of them in particular. They shall before the 18th of February next surrender to the Sheriff or a Justice of the Peace from the county wherein they shall be, and shall continue to live peaceably and give security for their doing so. All who are not guilty of murder and who do this shall have the King's protection. The names of those who surrender and the place where they abode before they began their evil courses shall be sent to us by the Sheriff or Justice, with the security they give. Those who do not accept the terms offered shall be prosecuted as traitors, and we charge all persons to abstain from relieving them; and those who do so shall be committed to prison till they give security to reappear and be tried at the next Assizes for the county in which they live. Rewards will be given to those who bring in traitors. *P.* ¾, *overwritten* by the Earls of Orrery and Mountrath and the Lord Chancellor of Ireland, *and countersigned by* John, Archbishop of Armagh, James, Archbishop-elect of Dublin, Lord Montgomery, Sir Henry Tichborne, Sir James Donelan, John Bysse, Sir Robert Forth, Sir James Ware, Sir Robert Meredith, and Sir Theophilus Jones. Printed in Dublin by Wm. Bladen, 1660. *S.P. Ireland* 306, 17.

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21 Jan. Whitehall.

The KING to the LORDS JUSTICES for a GENERAL PARDON.

A petition presented to us by the Earl of Mountrath has been for the most part answered by our Declaration of 30 Nov. last. We are, however, ready to gratify further so deserving a person, and direct you to pass letters patents for granting a free and general pardon to

Charles, Earl of Mountrath.
Henry, Bishop of Clogher.
Richard, Baron of Collooney.
Sir Oliver St. George, Bt.
John Bisse, Chief Baron of the Court of Exchequer in Ireland.
Sir Paul Davis.
Sir Robert Meredith, Kt.
Sir Theophilus Jones, Kt.
Sir Richard Kenedy, Kt.
Col. Chidley Coote.
Col. Wm. Warden.
Lieut.-Col. Francis Gore.
,, Edward Allen.
,, Wm. Moore.
Major Arthur Gore.
,, Wm. Meredith.
Capt. Robt. Parke.
,, James Cuff.
Henry Waddington, Esq.
John Pearsivall, Esq.
Capt. Henry Billingham.
Wm. Hancock, Esq.
Major George Pepper.
Capt. Wm. St. George.
,, Henry Brookes or Brooks.
,, Jas. King.
,, John Sandes.
,, Lewis Griffith.
,, John Cambell.
,, Joseph Mosse.
,, Owen Lloyd.
Lieut. John Ottaway.
,, Arthur St. George.
,, Bryan Cunningham.
Cornet Edward Cooper.
,, John Crofton.
Gabriel King, Esq.
John Wilkinson.
Quartermaster Charles Cartwright.
William, Viscount Caulfield.
John, Baron of Kingston.
Sir Robt. Hannay, Bt.
Sir John Cole, Bt.
Lord Charles Coote, of Castle Coote.
Sir Wm. Ussher.
Sir John Hoey, Kt.
Sir Wm. Ashton, Kt.
Col. Arthur Hill.
Col. Thos. Coote.
Col. Thos. Scott.
Lieut.-Col. Tristram Beresford.
,, Oliver Jones.
,, John Reade.
Major George Rawden.
,, George Ingoldsby.
Capt. Richard St. George.
,, George ,,
Dr. Ralph King.
Alderman John Dee.
,, Daniel Billingham.
Major Wm. Bond.
Capt. Chas. Gore.
,, Robert Morgan.
,, Francis King.
,, Adam Moleneux.
,, Robert Oliver.
,, John Jones.
,, John Francke.
,, Robert Meredith.
,, Thos. Caulfield.
Lieut. Lewis Wingfield.
,, Christopher Mathewes.
,, Francis Jackson.
Cornet Michael Stanley.
,, Rowland Thomas.
Peter Behan, Esq.
Cornet Gilbert Carter.
Quartermaster Robert Miller.

The pardon to be as full and general as that passed in the Act of the Parliament which began at Westminster on 25 April, 1660, provided that none of the above who have been of the guard of

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halberdiers at the time of the murder of King Charles I. are to be included. You shall issue letters patents granting to these persons the lands, &c., which they held on Oct. 22, 1641, subject to the rents then reserved, "and also all such lands, &c., lying, &c., in Ireland that have been set out to the persons aforesaid or any of them respectively in satisfaction of their arrears of pay for their service in that our kingdom or purchased by them or any of them from any adventurer or soldier intended to be secured by our said Declaration, or his or their assigns, provided that this extend not to pass any lands, &c., which by our said Declaration are to be restored to any other person or persons," but in such case such persons shall receive reprisals in some other lands most convenient for them. Such lands shall be held in the manner described in our Declaration of November last. You shall also pass letters patents granting to those of the above who purchased them certain estates in Connaught and Clare, which were "set out in pursuance of decrees granted to several persons of the Irish nation, as also certain lands, &c., by a pretended Act of Parliament set out to the inhabitants of Gloucester." You shall in this case observe the rules laid down in our Declaration concerning reprisals and shall reserve the old rents. You shall also pass letters granting to the Earl of Mountrath, Henry, Bishop of Clogher, Richard Baron Collooney, and Sir Theophilus Jones, Chidley and Thos. Coote, Esqres., and their heirs, &c., "all the lands, &c., settled or intended to have been settled upon them or every or any of them by any gift, grant or order of any power or usurped power" to be held at the rents fixed for soldiers by our late Declaration. *Pp.* 3½. *S.P. Dom., Signet Office IV.*, 270-73. *Also draft of same, pp.* 3. *Endd. S.P. Ireland* 306, 18.

21 Jan. Whitehall. The King to the Lords Justices for Capt. Thos. Browne.

The Earls of Cork and Inchiquin and Lord Moore report, on his petition, that he has faithfully served the Royal cause. He shall be restored accordingly to the estates of which he was deprived by the late tyranny. Usual clauses for execution (*see p.* 179 *note*). *P.* ½. *S.P. Dom., Signet Office IV.*, 213.

Same. Same for Peter and Francis Esmond.

Directing that, in consequence of the favourable report on their petition which has been returned by the Earl of Inchiquin and Sir John Grenvile, Groom of the "Scoole" [Stole], they be restored to the lands of Johnstown in co. Wexford, of which their father was dispossessed by the late tyranny. Wm. Esmond was loyal to the Royal cause and died about six months ago. Usual clauses for execution (*see foregoing*). *Pp.* 1¾. *Ibid.* 197-8.

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21 Jan. Council Chamber, Dublin. PRINTED COPY of PROCLAMATION by the LORDS JUSTICES and COUNCIL.

"We cannot doubt of the happy condition of our late dread Sovereign of ever blessed memory Charles the First, being assured by the voice of truth itself that whosoever loseth his life for Christ's sake shall find it, in which respect martyrdom (wherewith he was undoubtedly crowned) hath been justly styled the baptism of blood, and the anniversary days of the death of the Martyrs have been ever observed by the Church of God as the birthdays of their glory, so as it might seem half a crime to shed a tear for him whose soul the Lord hath delivered from death, his eyes from tears and his feet from falling; whom his bloody enemies did advantage more by their malice and cruelty than they could have done by the pretension of Allegiance and Loyalty, snatching him from the sweet society of his dearest consort, and most hopeful and Royal issue, and from the Government of all his Kingdoms and people to place him in the bosom of the blessed Angels and Saints triumphant.

"Yet when we consider our own loss to be deprived by a company of traitorous parricides of such a Prince, of so lenient and exemplary virtue and piety, with whom our liberty, our laws, our religion had expired if God in His great mercy had not miraculously restored them by the happy restitution of His Majesty; when we consider the manner of his death, to be murdered by his own subjects who had sworn allegiance to him, in his chief city before the gates of his own palace, in the face of the sun, in the sight of his good people who durst not mutter whatsoever they thought, and that under a formality and feigned pretence of justice after all the indignities and affronts imaginable had been put upon him; and especially considering the guilt of innocent blood how it defileth the hand and lyeth upon a whole nation, being not to be washed away but by the blood of them who shed it, God in His national judgments oftentimes involving those who are innocent in the eye of man with the nocent, which he may still justly do considering that our national sins deserved that he should permit that detestable parracide to be committed."

We set apart the thirtieth day of the present month to be a day of solemn fasting and humiliation "at which time all His Majesty's subjects of this Kingdom of Ireland are required by us to meet . . . at their several parish churches and to join with their respective ministers in public prayer that God will be graciously pleased to avert his judgments from this nation due unto so horrid and bloody a crime, and to discover more and more those who have been the principal contrivers and actors in that unparalleled murder, and to establish and radicate his Majesty in the just possession of his hereditary crowns and kingdoms," and lastly to shut their shops for the day. Ministers and curates throughout the country shall assemble their parishioners at ten o'clock on that day and shall "press unto them the detestableness of this barbarous murder, which was so much the more abominable by how much it was endeavoured to be covered under the cloak of Religious piety and Justice." They shall inculcate a detestation of the principle from

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which so much treason and rebellion have flowed. We hope and expect that all the King's good subjects as they desire to appear innocent of the guilt of that blood will obey this injunction. *P.* 1, *&c., printed as No.* 17, *above p.* 187, *and with same signatures, except those of* Donelan *and* Bysse, *but signed also by* Michael, Bishop-Elect of Cork, Cloyne and Ross, *and by* Sir Arthur Hill. *S.P. Ireland* 306, 19.

22 Jan. Whitehall. The KING to the LORDS JUSTICES for TERLAGH O'BRYEN.

On this petition on behalf of himself and his father Morogh, of Pallees Greany [Pallas Grean], co. Limerick, Lords Inchiquin and Moore have certified Morogh's loyalty to the late King and Royal cause. Capt. Terlagh has served for nine years in the Duke of York's regiment abroad, and shall be restored as an innocent Papist. *P.* ¾. *S.P. Dom. Signet Office IV.* 209-10.

22 Jan. Council Chamber, Dublin. PRINTED COPY of PROCLAMATION by the LORDS JUSTICES and COUNCIL.

We are given to understand that sundry unlawful assemblies have of late been held by Papists, Presbyterians, Independents, Anabaptists, Quakers, and other fanatical persons meeting in great numbers, who meet in hundreds or thousands under the pretended authority of some foreign jurisdiction or of some local presbytery. In these assemblies "some have taken upon them on their own heads to appoint public fasts and days of humiliation or thanksgiving for his Majesty's subjects, and to give holy orders and induct into ecclesiastical benefices, and to deprive ministers (who have good titles by the laws of this realm) at their pleasures by their arbitrary orders, by the force of such of their parishioners as join with them and go along with them." At these meetings they speak evil of dignities, cast dirt in the face of the lawful magistrates and usurp the essential rights of sovereignty itself. All these assemblies whether of Papists, of Presbyterians, or (*&c., as above*) are unlawful and mischievous. We forbid the King's subjects to convoke them either under the name of days of humiliation, days of thanksgiving or consistorial days or under any other pretence whatsoever, or to be present at them or to execute their decrees.

Any person who in future convokes, attends or publishes, executes, or assists the execution of any order, sentence or act of such an assembly will be strictly dealt with.

We believe that the Archbishops and Bishops will use all due care to gain over such as have been seduced into these courses, and direct them the Sheriffs and Justices to suffer no such meetings to be held within the area of their authority, but to seize on such as assemble in them and bind them over to appear at the Assizes or Sessions according to the degree of their offences.

All officers of the Army and all the King's subjects are to assist in the execution of these. *P.* ¾. *Signed and printed as foregoing. Endd. Ibid.* 20.

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[22 Jan.] [1] DRAFT of the KING to the [LORD CHANCELLOR].

Directing that Michael Boyle, Dean of Cloyne, be advanced to the bishoprics of Cork, Cloyne, and Ross, now vacant by the death of Chappell, Bishop of Cork and Ross, and Synge, Bishop of Cloyne, Owing to their "exilitie" we allow these sees to be united for this turn. Letters patents shall be given him for the restitution of the temporalities of the said united bishoprics. *Pp.* 1½. *Endd. S.P. Ireland*, 306, 21.

23 Jan. Dublin. MAJOR GEORGE RAWDON to LORD CONWAY.

We hope for letters to-morrow, as four packets are overdue.

We met yesterday in our Convention and chose Sir William Dumvill as chairman. We then went to the Council Chamber at the Custom House, where the Lord Chancellor imparted the King's letter to us giving us thanks for our former service, and desiring we might raise some money, by way of loan before Parliament should be called or otherwise, for support of the Army. A committee was appointed to see what the deficiency in the revenue is, and we hope it will report on Friday morning. Steps are being taken to reduce the Army, which is five months in arrear beside the old fifteen months. I cannot tell you what supply we shall give or how, but am sure the country will not be so able to pay it as we are to give it. We shall, I believe, inform such of the Archbishops and Bishops as are here of what we shall agree upon, and leave it to them to tax the nobility or at least themselves, and thereby shew example to others.

Your Lordship's troop will march as soon as they get their pay (which is now issuing to the army) half to Dromore and the other half to Lisnegarvy [Lisburn]. My cousin William Hill is in town, but Quartermaster Roma and Cornet Bolter is [*sic*] with them at Carlo[w]. My brother Hill and all at Hillsborough are pleased at the thought that you and my lady may come over. The Bishop of Down and the rest will be established on Sunday next and on Monday they will make a great feast.

I found when I came up that the *custos rotulorum* was nominated for our county and Down before we came up—the Earl of Donegall and Lord of Ards in your place and my brother Hill's. The Earl of Donegall pretends a right by old patent, so I told the Lord Chancellor that you did not think it worth disputing about with an old neighbour. The Lord Chancellor pretended to have found great difficulty in giving it away, and only to have yielded to much importunity. I am looking for a house here but will make no bargain till I hear whether, upon Lady Finch's proposition, my lady may stay this year in England. Lord Massereene is earnestly expected over with the instructions, little being as yet done upon the King's declaration.

Your potashes were in the harbour till the great storms were passed, so I hope they will get over safely.

[1] *See* the *Liber Hiberniæ* for date of patent.

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Private affairs.—We commend you, now your are in the country, to "use exercise" as much as you can. It is necessary for your health. It is the counsel I give your sister oftener than she observes it, though I thank God she is very healthful of late, and so are the children. *Pp.* 3. (*Hol.*). *Conway Papers. Add.* to Lord Conway at Ragley and *with a note* "paid 6*d*." *Endd. S.P. Ireland* 306, 22.

23 Jan. Whitehall. The KING to the LORDS JUSTICES for JAMES FLEMING, of Stahallmoke [Stahalmog].

Directing that, in consequence of the report on his petition by the Earl of Inchiquin and Sir James Barry, he be restored to such of his lands, &c., as were taken from him by the late usurper. Owing to his age the usurper allowed him to live on in part of his estate, and he never took lands in Connaught. Usual clauses for execution (*above p.* 179 *note*). *P.* ⅛. *S.P. Dom., Signet Office IV. p.* 216.

Same. SAME for MAJOR DOMINICK FERITER.

Directing that, on the report on his petition of the Earl of Inchiquin, Lord Moore, and Sir Wm. Penn, he be restored to his estate. His father, Capt. Pierce Feriter, acted loyally in the late war, sheltered many English Protestant families and was at length put to death by a court martial of the usurper Oliver. The son has also been loyal. Usual clauses for execution. *Pp.* 1¾. *S.P. Ireland* 201-2.

Same. SAME for ROBERT SHEA, of Upper Court, co. Kilkenny.

The report of Lords Inchiquin and Moore on his petition show that he assisted the distressed Protestants in 1641, loyally accepted the peace of 1648, and contributed to help our Irish Army. He shall be restored to his lands. Usual clauses for execution, &c. *Pp.* 1½. *Ibid.* 204-5.

Same. The SAME for the WIDOW MARGARET CARROLL.

Edward, Earl of Meath and Lord Moore have reported favourably on her petition. She is the widow of Teige *alias* Thady Carroll, of Rathmore, King's County. Donnagh and John Carroll, sons of Teige and Margaret, and Iriell Kennedy, grandchild and heir of Margaret's first husband, join in the petition. The Carrolls relieved the garrison of Birr when it was besieged. They shall be restored to their lands and treated as innocent persons and Papists under the late Declaration. Usual clauses for execution. *Pp.* 2½. *Ibid.* 327-30.

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24 Jan. Whitehall. The KING to the LORDS JUSTICES for ROBERT PURCELL, of Foulksrath, co. Kilkenny.

The report of Lords Inchiquin and Moore on his petition certifies the loyalty of his father Philip. He shall be restored to his father's estates as an innocent person. Usual clauses for execution (*see above p.* 179 *note*). *Pp.* 1½. *S.P. Dom. Signet Office IV.* 206-7.

25 Jan. Whitehall. COPY of PROCLAMATION directing that Jan. 30th be kept as a day of fasting and humiliation, for which *see Cal. of S.P. Dom.*, 1660-61, *p.* 485. *Pp.* 4½. *Endd. S.P. Ireland* 306, 23.

[25 Jan.] [1] DRAFT of the KING to the LORDS JUSTICES for JAMES MARGETSON, D.D., Dean of Christchurch.

Directing that letters be passed appointing him Archbishop of Dublin and Bishop of Glendalough with the full and usual privileges. He shall have restitution of the temporalities. Owing to the "exilitie" of the said see, Margetson shall be allowed to hold in commendam the rectory of Galowne, alias Dartree [Dartry], co. Monaghan, the prebend of the Holy Trinity in St. Finbarr's Church in Cork, and the Chancellorship of St. Patrick's, Dublin (or its equivalent). He shall have the mesne profits from the date of this letter. *Pp.* 1¾. *Ibid.* 24.

26 Jan. Dublin. The EARL OF MOUNTRATH to the DUKE OF ALBEMARLE.

The Justices and Council have given so full an account of affairs here to Sir Edward Nicholas—besides a joint letter from my Lord of Orrery and myself—that I need only, in regard to those affairs, refer your Excellency to those letters.

I hear from my brother and other friends there how much they have gained by your help in "our poor concern." I shall ever be grateful for your goodness. I thank you for your favour, upon my recommendation, to Col. Warden, and now recommend to you Sir Robert Hannay, my wife's only brother, who is still unprovided for. The Justices have reserved four companies from disposal; and your favour would no doubt secure him one of these. Sir James Shaen wishes me to recommend him to you. He deserves your favours. *P.* 1. *Signed by the* Earl of Mountrath *with seal* (*broken*). *Add. Ibid.* 25.

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[1] *See* Cotton's *Fasti* II., 21.

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26 Jan. Whitehall. [Secretary Nicholas] to Lord Chancellor Eustace.

We believe that you would not have called the convention a second time if it had not been useful to you. The King is very anxious to help you in the straits in which you are for money. As to what you say about admitting Papists to the commission of the peace, I have not yet had time to report the Earl of Mountrath's opinion thereon to the King. You had best follow Lord Mountrath's advice and do nothing herein until you get orders from the King. Here there is, I think, a positive law against admitting Papists to the commission of the peace, and I suppose you have the same law practised in Ireland. We have had some movements of fanatics here, but all is now quiet. Cromwell's, Bradshaw's, Pride's, and Ireton's bodies are taking up to be carried to Tyburn, according to the sentence of Parliament of 26 December last. *P.* 1½. *Entry. S.P. Ireland* 308, *pp.* 15-16.

Same. [Same] to the Lords Justices.

The King approves the course taken by you in calling the convention a second time. *Other details.* When you have examined the Earl of Antrim's case, the King desires to receive an account of it. *P.* ⅓. *Entry. Ibid. p.* 17.

[28 Jan.] Petition of Sir Richard Butler to the King, showing that:—

Petitioner's father was first Governor of the City of Kilkenny and then of the Castle of Carlow, aud served in these posts and in command of a troop of horse. Petitioner's father died before the end of the war and left petitioner an orphan, but of ten years. He and his mother and sisters have since been very poor.

He prays for restoration of the following lands which are in the King's disposal owing to the treason of Ireton, viz.: Polestown, Jordanstown, Garriduffe, and Shankill, co. Kilkenny. Neither he nor his father took any lands in Connaught. *P.* 1. *Undersigned with—*

Order, dated 28 Jan., Whitehall, referring this petition to the Marquis of Ormond, *and endd. with—*

Report of the Marquis of Ormond on the foregoing Petition.

Certifies above facts. Sir Richard made a brave defence at Kilkenny. The petition should be granted. *P.* ⅔. *Signed. In all, pp.* 1¾. *Endd. S.P. Ireland* 304, 26.

Before 28 Jan. Petition of George Purdon to the King, showing that:—

The petitioner, being elected to serve in the general convention of Ireland for the county of Clare, was asked by the gentry and inhabitants to get the government of Thomond restored to the Earl

of Thomond. The county flourished under his ancestors. He prays that the Earl may have this governorship and also that of "the Castle of Limerick standing by Thomond's bridge." *P.* 1. *Signed by* Purdon. *Endd. S.P. Ireland* 306, 27.

28 Jan. Whitehall. DRAFT of the KING to the LORDS JUSTICES for the EARL of THOMOND.

In consideration of the Earl's services and loyalty we direct you to appoint him Governor of Clare and Thomond, with power to govern the people there with the assistance of the Council of Munster, subject to directions from us, &c., or the Council of England or Lord Lieutenant, &c., or Council of Ireland. He shall have the same authority, &c., as Henry and Barnaby, Earls of Thomond, his predecessors, enjoyed. He shall receive 10*s.* a day pay for filling this post. [*Details as to payment follow.*] The Earl or his deputies shall be nominated as chief in the Commission of Oyer and Terminer with the Justices of Assizes in their circuits with [in] the counties of Clare and Thomond. He shall have power to appoint by writing under his hand and seal enrolled in Chancery a deputy to govern the country in his absence. If such deputy do not govern to the satisfaction of the Lord Lieutenant of Ireland, he may be supplanted. During the operation of this grant no other person shall exercise any similar authority in Clare and Thomond. While the Earl holds it he shall be commander of the forces (in the absence of the Lord Lieutenant, Lord Deputy or Justices) to punish traitors, &c., and keep the peace, and shall have power to raise levies in the country for these purposes and shall command the forces now residing in Clare and Thomond, and shall have power when travelling to take "man's meat and horse-meat in seasonable sort without oppression," paying ready money or giving bills therefor. He may parley with the rebels and give them safe conducts for periods of 30 days. The Lord Lieutenant, &c., shall carry out any promises made to such rebels for the quiet of the country by the Earl of Thomond. He shall have a clerk, a seal for sealing warrants and process [es], a sergeant-at-arms with a mace, a gentleman porter and pursuivant. He shall have power to place and displace officers, and all officers within his Government shall obey and assist him. *Pp.* 15. *Endd. Ibid.* 28.

29 Jan. Dublin. The LORDS JUSTICES to SECRETARY NICHOLAS.

The name 'William' in the enclosed letters [missing] should be taken out and, with his Majesty's consent, that of 'Richard' substituted. Wm. St. George agrees to this, his Grace [the Duke of Albemarle] having appointed him to be lieutenant of Sir Oliver St. George's troop. Please attest the alteration and return the letter. *P.* ½. *Signed by the Lords Justices with seal.* *Add. Ibid.* 29.

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29 Jan. Council Chamber, Dublin.

PROCLAMATION by the LORDS JUSTICES and COUNCIL.

By the King's authorisation and for removing the evils which ensue to the country by reason of the scarcity of coin in the kingdom, we declare that the following gold and silver coins now in or to be brought into this kingdom shall be allowed and shall pass in all payments to and from his Majesty as current money, and as if they were sterling money at the following rates :—

Gold Coins.

	£	s.	d.
The Golden rider 6dwt. 12gr. at - - - - -	0	22	6
,, ,, ,, 3dwt. 6gr. at - - - - -	0	11	3
The Spanish quadruple pistol of gold or French do. of 17dwt. 8gr. at - - - - - - - -	3	4	0
The Spanish or French double pistole of 8dwt. 16gr. at - - - - - - - - - -	1	12	0
The Spanish or French single pistol of 4dwt. 8gr. at	0	16	0
The single do. of 2dwt. 4gr. at - - - - -	0	8	0
The double ducat of gold of 4dwt. 12gr. at - -	0	18	0
,, single ,, ,, 2 ,, 6gr. at - -	0	9	0
The Spanish suffrain of gold of 7dwt. 2gr. at - -	1	8	6
The Spanish half-suffrain of 3dwt. 13gr. at -	0	14	3

Silver Coins.

The piece commonly called the piece of eight of "Mexico or Civil" Rixdollar or cross-dollar of 17dwt. at - - - - - - - - - - -	0	4	9
The half-piece of same at - - - - - -	0	2	$4\frac{1}{2}$
The quarter-piece of same at - - - - - -	0	1	$2\frac{1}{4}$
The half-quarter-piece of same at - - - - -	0	0	$7\frac{3}{4}$
The Portugal Royal of 14dwt. at - - - - -	0	3	8
The half and quarter Portugals Royal in proportion.			
The duccatoon of 1oz. 16gr. at- - - - - -	0	5	9
The half and quarter duccatoons in proportion.			

The piece of eight commonly called the 'French Lewis' and the 'old Perue' and the half and quarter thereof to pass as they now do, viz., the whole piece at 4*s.* 6*d.* and the others in proportion.

The piece commonly called the cardecu to pass as it now does.

In case any of the pieces of gold or silver made current as above shall want the weight therein laid down, there shall be allowance given of 2*d.* for each grain in the gold coins and 3*d.* for each dwt. in the silver coins. When the defects are so made up they shall pass as if they were sterling and current of England. Unless the above coins are of the above weight or unless such defects be made good, nobody shall be compelled to accept them in payment.

Mayors, Sheriffs, Portreeves, Bailiffs, officers of Corporations and Justices of the Peace shall decide any difference arising according to the foregoing rules. *P.* 1, *overwritten by the Lord Justices and signed by thirteen members of the Council. Endd. S.P. Ireland* 306, 30.

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29 Jan. Whitehall. The KING to the LORDS JUSTICES for the BISHOP ELECT OF MEATH.

Directing that Henry, Bishop-Elect of Meath, be granted any vacant dignity of St. Patrick's, Dublin, which is of the value of £200 a year or, if there be none such vacant, then some other living of the same value. He has petitioned showing that he has lost this amount by his translation from Down to Meath. *P.* ½. *S.P. Dom. Signet Office IV.* 212.

Same. SAME for LORD CAULFILD, BARON OF CHARLEMONT.

Ordering that the constableship of the fort of Charlemont be conferred upon him. He shall have 8*s.* 4*d.* a day, and fifteen warders at 6*d.* a day each. *P.* ½. *Ibid.* 212-13.

Same. SAME for the MARQUIS OF ORMOND.

Ordering that he be restored to the estates of Valentine, son of the late Sir Valentine Browne, of Rosse, co. Kerry, of whose body and lands he was given the wardship in 1640. Clauses for execution (*above p.* 179 *note*). *P.* ½. *Ibid.* 252.

Same. SAME for SIR JAMES SHAEN, Receiver of Leinster.

He has served the King with loyalty and activity and asks for satisfaction for his "arrears, decrees, adventures, reprizes and incumbrances," either held in his own right or by purchase from others. He shall have, in the town of Malahide and 1,000 acres of land near thereto, reprisals for the lands which, in consequence of the restoration of Lord Dillon or others, he may lose. In payment of his arrears before 1649, he shall have the house in Castle Street, Dublin, lately in the possession of Col. Richard Lawrence or some such other convenient forfeited house in Dublin as he shall choose, and, if this be not enough, further houses or lands in the town of Mullingar. His deficient adventures shall be made good by such unrestorable forfeited lands in the barony of Dundalk or Ferrard as he shall choose. The proportionable part, according to our Declaration, of his unsatisfied arrears for service in Ireland since June, 1659, shall be satisfied out of such restorable [*sic*] forfeited lands as he shall desire which were set out by the late usurped powers unto any person or persons in satisfaction of arrears for service in England which are not confirmed by our said Declaration. His unsatisfied decrees for lands in Connaught and Clare shall be satisfied as such of the lands of Ballintubber [Ballintober], Denisandle [Dunsandle?], Aghrem [Aughrim], and Pallice [Pallas], as he shall make appear to have

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been in the possession of Col. Richard Butler and his wife, and other transplanted persons. His encumbrances which by our Declaration are to be satisfied in the co. Kildare shall be satisfied on the lands of Clanmurry and other forfeited unrestorable lands. The land at present in his hands shall be confirmed to him, as also the surplusage in the aforementioned lands which may be over after the satisfaction of his arrears, &c., has been made. You shall forthwith possess him of the house in Castle Street, Dublin and the lands, &c., in or near Malahide *de bene esse*, and when the lands are fully set out to him you shall give him patents of them, with full beneficial clauses. *Pp.* 4¾. *S.P. Dom., Signet Office IV.*, 411-16.

30 Jan. Dublin. MAJOR RAWDON to LORD CONWAY.[1]

. . . . . I cannot get a house here for you and my lady, but shall get the best I can before I leave Dublin and let you know what household stuff I think necessary. . . . The . . . . . company has got order and I suppose will march soon and my cousin Wm. Hill will give you an account of it. He is in town and has a mistress here who is heir to £1,000 a year and handsome. The business is on foot privately, so, until it be off or on, he cannot think of the favour your Lordship is pleased to mention concerning Mrs. Browne. For this and all your favours they are very thankful.

The pay (of the troopers) is 2*s.* a day, but will probably be reduced to a shilling or eighteen pence. When the reducement is made your Lordship and every other troop will have to take on twenty out of some other troop, but to bring over men is unnecessary as you have enough tenants well mounted to make up the number. . . . . It is necessary for one of your rank to buy a silver trumpet or two. There is but one trumpet allowed. I am getting Ned Obery taught [to play the trumpet?] He is very anxious to learn.

The Earl of Donegall has sent the Lord General's orders to the Lords Justices to give me a commission making me Lieutenant-Governor of Carrickfergus in his absence. It is meant for a favour but I fear will be a trouble . . . . on . . . . twelve Bishops were consecrated . . . the Primate . . . four old bishops. The Bishop of Down preached and taught them the office of a Bishop. On M[onday] the new Bishops feasted the Justices and Council, most of the Convention, and the Mayor and Aldermen, very nobly.

Today is a solemn fast and remembrance for the late King's murder.

[1] This document is much damaged by damp.

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I think our convention will end within a week and we shall agree to-morrow (I believe) to raise a poll[tax?] to supply the army till the Parliament meet. . . . . I have a pretender to part of Clancon . . . [?] where I have 2,000 acres that yield me £200 a year and doubt not my title. Lord Massereene is expected with the instructions and will be an occasion of increased business to the Lords Justices and Council, though at present their hands are full in preparing bills for the first transmission, which will be ready within two days. There is a difficulty about settling the officers (lieutenants and under) as more commissions have come and many of them strangers from England than there is room for. . . . . [A suit against you is pending.] I did not want Sir Wm. Domvill, the Attorney-General and Mr. Recorder to be against you, so have been obliged to give them retaining fees. We dare not have a term till Parliament sit, but already writs are issued for beginning actions. *Pp.* 4. (*Hol.*). *Conway Papers. S.P. Ireland* 306, 31.

31 Jan. Whitehall. The KING to the LORDS JUSTICES for SIR ARTHUR FORBES, BT.

Ordering that the town of Mullingar be passed to him in satisfaction of his arrears and as a reward for his services at a rent of £5 a year. Any Papist who owns the town shall have reprisals. *P.* ½. *S.P. Dom. Signet Office IV.* 214.

Same. SAME for EDMUND FITZGERALD, of "Ballimale" or "Ballymoloe" [Ballymaloe, Co. Cork?]

Lords Inchiquin and Moore certify his loyalty. He shall be restored to the lands of which he was deprived by the late usurped power. Clauses for execution (*above p.* 179 *note*). *P.* ¾. *Ibid.* 214-5, *and p.* ½. *Ibid.* 224.

Same. SAME for LIEUT.-COL. WM. FITZGERALD.

Directing that he be put in possession of the estate of Edmund Poore, of Inchie, co. Cork, an infant whose wardship the King has already granted to him. *P.* ½. *Ibid.* 211.

Same. SIR MAURICE EUSTACE to the EARL OF CORK, at Whitefriars, London.

The King's letter which you enclose ordering me to pass to your nominees such places in the customs as are vacant is irregular. It should have been addressed "to the Lords Justices and other

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Chief Governor and Governors" since these powers have always gone with the sword. If you will get the letters altered I shall help you as well in this, as in other matters.

There is a petition referred to your Lordship concerning a nephew of mine called Keating, touching a farm called Lipstown in Kildare. It is but a small thing with about £20. I desire your favour therein. *P.* ¾. (*Hol.*). *Add. S.P. Ireland* 306, 32.

31 Jan. Whitehall. COPY of SIGN MANUAL WARRANT.

For granting the King's pardon to John Grace, of Courtstown, co. Kilkenny, for all offences committed by him before June 10 last. *P.* ½. *Countersigned by* Nicholas, *certified by* Mathew Johnson. *Ibid.* 33.

Same. SAME for RICHARD GRACE, of Moyley, Queen's County.

P. ⅓., *&c., as above. Ibid.* 34.

January. DRAFT of the KING to the LORDS JUSTICES for CAPTAIN JOHN HULLAM.

Directing that letters be passed for granting to him the office of overseer, director, and surveyor general of all the buildings, fortifications, plantations, highways, bridges, fords and passages in Ireland. If he is not admitted to this office he shall have some other in Ireland of equal value. *P.* ¾. *Endd. Ibid.* 35.

Same. DRAFT of SAME for JOHN BELASIS, brother of VISCOUNT FALCONBRIDGE.

Recommending him for the command of a troop of horse, or other command in Ireland. *P.* ⅔, *partly erased. Ibid.* 36.

Same. SAME for KATHERINE, VISCOUNTESS RANELAGH.

It appears that Arthur Lord Ranelagh, her husband, assigned all the arrears due to him in Ireland (which were stated on 4 Dec., 1656, to be £946 17*s.* 4*d.*) to his daughters Frances Jones and Elizabeth Jones. The Viscountess has desired that these arrears may be satisfied in some convenient place for the advantage of her daughters. The lands on the said debenture shall be set out in such convenient place as the Earl of Cork and Viscount Valentia shall propose, in pursuance of our Declaration and of this letter. *P.* ½. *Endd. Ibid.* 37.

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January. Copy of Petition of Charles Hara to the King, showing that:—

About nine months ago the King, on a report by the Lord Chancellor, gave an order that the tenants on petitioner's small estate in Antrim should keep their rents in their hands till the King's pleasure was known.

Petitioner is an innocent Papist and was transplanted only on account of his religion.

He prays for restoration. *P.* ½. *S.P. Ireland* 306, 38.

31 Jan. Petition to the King of Maurice Keating, of Morogh, co. Kildare, showing that:—

Petitioner's father, Edmund, was in 1635 possessed of a term of 81 years, purchased by him from John Carroll of Cloneleske [Clonlisk] in the King's County, a supposed Papist, in the castle, town and lands of Ballybrit, King's County, held at the yearly rent of £100. Having agreed to purchase the inheritance of the castle and premises, Carroll, in July, 1641, for consideration conveyed the reversion and inheritance of the said castle, &c., to Thomas Symper, servant of Edmund, and his heirs, in trust for Edmund and his heirs, and they have since been conveyed to Edmund and his heirs.

Edmund was driven out of his lands by the rebellion and could not enjoy them.

At the time of the usurped power Edmund, finding that by a pretended act, made in 1652, all sales and conveyances made by any Irish Papist since 25 March, 1639, were to be adjudged void, claimed only the lease of 81 years. This was adjudged for him, but was handed over by the usurper to some adventurer or soldier.

This pretended act is now void and all Protestants are restorable. Petitioner is restorable without "expecting until previous reprisals shall be given to the possession of the said rent."

He prays for restoration. *P.* 1. *Endd. Ibid.* 39.

Jan. Docquets of Grants, January, 1660-1.

The office of Searcher of Kinsale port to John Polden during life. *S.P. Dom. Docquets, Vol.* 19, *p.* 74.

Same. The office of Chief Collector and Receiver of the Excise in Ulster, except for the counties of Down and Antrim, to John Povey during pleasure. *Ibid. p.* 76 [*and see at* 30 March, 1661].

The office of Clerk of the Decrees of His Majesty's Court of Chancery in Ireland during his life to Ralph Merry, gentleman. *Ibid. p.* 78.

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Jan. The office of granting licences for selling wine and *aqua vitæ* and strong waters in Ireland to Gilbert Mabbott and, at his humble request, to Sir Wm. Clarke, Kt., during the lives of Mabbott and of Compton his son; with the yearly fee of £600, to be deducted from the profits, to the Chief Governor there. *S.P. Dom. Docquets, Vol.* 19.

Same. The office of Governor of the Counties of Westmeath and Longford and the military forces and people there, with power to make a Deputy Governor, to Lord Aungier. *Ibid. p.* 81.

Same. A grant to John Bulteel, Esq., of all such sums of money due upon forfeited recognizances and writings obligatory entered in the port of Galway in Ireland between May 1, 1656, and 14 Aug. last, conditioned for the delivery of any quantity of wool or woolfells in England or Wales or elsewhere, giving him power to compound for, sue for and recover the same in the King's name to his own use. *Ibid. p.* 82.

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Before Feb. 1661. Draft of the King to the Lords Justices for Wm. Earl of Strafford.

We learn from the Earl that several sums were laid out by his father in Ireland for repairing Dublin Castle, building a Custom house, issuing tobacco at a rate below cost price, support of the army, requisitions of Lord Inchiquin, &c. You shall appoint two of the Privy Council there to estimate his debts. The rents due to the Crown from the Earl in respect of the territory of the Byrnes shall be suspended till our pleasure in this matter be known.

Dated the day of in the 12th year of our reign. *P.* 1. *Endd. S.P. Ireland* 306, 40.

Latest date 1 Feb. Note of the King's desire that warrants be prepared for the translations or promotions which follow[1]:—

John Bramhall (T) to the Archbishopric of Armagh.

Henry Lesley (T), to the Sees of Meath and Clanmacnash [Clonmacnoise] [18 Jan., 1661].

Thomas Fuller (T) to the "Archbishopric" of Cashel and Emlin [Emly] [1 Feb., 1661].

[1] The translated clerics are marked "T" and the promoted "P." The dates in square brackets are those given in Cotton's *Fasti*. Twelve Bishops were consecrated in St. Patrick's Cathedral, Dublin, on 27 Jan., 1661.

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George Wild (P) to See of Derry [22 Jan., 1661].

Hieremy Taylor (P), Sees of Down and Connor.

Edward Sing (P), Sees of Limerick and Ardfert.

Samuel Pullen (P), Archbishopric of Tuam [19 Jan., 1661].

James Margetson (P), Archbishopric of Dublin, with a suitable commendam [25 Jan., 1661].

Wm. Bulkeley (P), See of Kildare, with same.

John Parker (P), See of Elphin.

Robt. Price (P), See of Ferns, with suitable commendam [25 Jan., 1661].

Michael Boyle (P), Sees of Cork and Ross [22 Jan., 1661], united *pro hac vice.*(1)

Robt. Lesley (P), See of Dromore [19 Jan., 1661].

Henry Hall (P), See of Killala [19 Jan., 1661] and Athconry [Aconry].

The last in Ormond's hand. *P.* 1. *Endd. S.P. Ireland* 306, 41.

1 Feb.(2) DRAFT of the KING to the LORDS JUSTICES for the EARL OF MEATH.

Directing that the lands, &c., of Loughlinstown with its appurtenances in the co. Dublin, of which he was deprived by the late usurped power be restored to him. The usurped power let them for a rent of £25 a year. This shall be put out of charge and the old fee farm rent of 10*s.* shall be restored. *P.* ½. *Endd. Ibid.* 42.

1 Feb. Whitehall. The KING to the LORDS JUSTICES for SIR HENRY TALBOTT and OTHERS.

We have granted letters for restoring Sir Henry Talbot, Sir Wm. Dungan, Limrick Nottingham, Henry Rochford, Sir Richard Barnewall and others to the estates of their ancestors. Some of these, being in the cos. Dublin and Kildare, are in the hands of John Blackwell or his assigns. Blackwell shall receive compensation in lands according to our Declaration of November 30, 1659, either in Dublin in compensation for his lands in Dublin or in Kildare, or in the barony or Yromakillie [Imokilly] co. Cork, for his lands in Kildare. *P.* ½. *S.P. Dom. Signet Office IV.*, 228.

(1) Held also the see of Cloyne.

(2) *See* 8 April, 1661, below.

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1 Feb. Whitehall. The KING to the LORDS JUSTICES for JOHN CANTWELL, of Ballymakedy, co. Tipperary.

Sir Maurice Eustace and Sir Richard Kenedy report that he had a commission from Sir Wm. St. Leger to raise men to quiet down the insurgents in 1641 and that he served well; and he is engaged in promoting the English interest in Ireland. He shall be restored to the estate of which he was possessed in Oct., 1641. Clauses for execution. *P.* ¾. *S.P. Dom. Signet Office IV.* 622-3.

Same. SAME for SAME.

Directing them to take special care to restore him to his lands of Ballymakedy, co. Tipperary. *P.* ½. *Ibid. p.* 624.

2 Feb. Whitehall. The KING to the LORDS JUSTICES for RICHARD ISAACKS.

His father, Richard, when he fled to England at the beginning of the late rebellion committed his estate at Battenshellix [Ballinskelligs] in co. Kerry in Ireland to two Irish gentlemen on condition that they should be accountable to him for it. On account of the late troubles no legal remedy could be used for [recovery of] the said estate. We recommend his eldest son, Thomas, to you to be countenanced by you in the recovery thereof. *P.* ½. *Ibid.* 265.

2 Feb. [SECRETARY NICHOLAS] to the EARL OF ORRERY.

I am glad of your safe arrival in Ireland. All goes well here. The Queen has arrived at the Havre, and the Royal Ambassador has reached Plymouth. There was a solemn fast on Jan. 30, and the carcases of Cromwell, Ireton and Bradshaw which had before been dug out, exposed at Westminster Abbey, drawn to Tyburn and there hanged till sunset "at which time they were cut down and their heads ordered to be set at Westminster Hall, directly over their High Court of Justice and their bodies thrown into a hole under the gallows, which signal spectacle of justice drew many thousands of people out of the city to behold it."

P.S.—All goes very well in Scotland. *P.* 1. *Entry. S.P. Ireland* 308, *p.* 18.

[4 Feb. Council at Whitehall.] DRAFT of SUGGESTED AMENDMENTS in the ACTS OF RECOGNITION of the KING'S TITLE and of JUDICIAL PROCEEDINGS.

1. In the Act of Recognition:—

In line 10, "commend" should be left out and "transmit the said memorial" inserted.

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In line 19, after the words " this your " leave out "most ancient Crown and."

In lines 20 and 21, after " unto " leave out " the Imperial Crown of."

In line 38, before " Kingdom of Ireland " leave out " Imperial Crown of this."

2. In the Act for Confirmation of Judicial Proceedings:—

In line 22, instead of " Protestant or Protestants " insert " person or persons."

In line 29, after the words " Chancery of Ireland " insert: *here follows a clause giving* to all men the right to appeal to the High Court of Chancery against any decree of any of the said Courts for administration of justice. The Chancery Court, which decides such appeals, shall be assisted by at least one of the Chief Justices and the Chief Baron.

P. 1. *Endd.* " Amendments, &c. (as in title) sent from Ireland by Mr. Attorney and Mr. Solicitor-General and read and approved in Council on 4 Feb., 166$\frac{0}{1}$, the King being present. *S.P. Ireland* 306, 43.

4 Feb. Whitehall. The KING to the LORDS JUSTICES for DAME ELLEN FITZGERALD.

The report of the Earl of Inchiquin and Lord Moore upon her petition of 22 Jan. last, shows that her husband, the late Sir John Fitzgerald left her a jointure before the war broke out, on which she lived peaceably. He served under the Earl of Inchiquin and spent money in the Royal cause. She shall be restored to her jointure lands of which she was deprived by the late power. Usual clauses for execution (*above p.* 179 *note*). *P.* ½. *S.P. Dom., Signet Office IV.*, 215-6.

5 Feb. Whitehall. SAME to SAME for LIEUT. RICHARD BARRY.

Barry's father David died in 1643, seized of an estate in the barony of Barrymore, co. Cork. He states that his mother enjoyed this estate till 1653, at which time, petitioner being come of age, the late usurper " proposed unto him qualifications " in Connaught and Clare, which he absolutely refused, and chose rather to serve under the Duke of York in Flanders. We have evidence of this service and that he is restorable under our late declaration. If you find the alleged facts to be true you shall restore him. Clauses for execution. P. ⅔. *Ibid.* 217.

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General date 5 Feb.

Documents relating to the Case of the Marquis of Antrim.

Deposition of Henry Bishop of Clogher, taken before Hubart Adrian Verveer, Mayor of Dublin, John Bysse, and Richard Kennedy.

They are with others empowered by a commission of 1 Jan., 166⅟, to examine the crimes whereby Randal Marquis of Antrim, is accused of defaming the late King Charles I.

The deponent, being duly sworn, says:—

In or about August, 1650, this examinate had in his hands a paper in which was a signed relation by the Marquis of Antrim, concerning some events about the beginning of the rebellion in 1641. The paper was taken from the deponent by Ireton, when commanding in chief in Ireland, and only an extract now remains.

It is to the following effect:—

Before the rising of the Irish in 1641, the King did send over to Ireland to Lords Ormond and Antrim and Thos. Bourke declaring his pleasure that the 8,000 men collected in Ireland by the Earl of Strafford should not be disbanded. Before the order arrived the men had been disbanded, and Captain Digby, constable of Dunluce Castle, was sent to inform the King of this fact. He overtook the King at York, his Majesty being then on his way to Scotland. The King then sent over one William Hamerton to Ireland signifying his pleasure that those 8,000 men should be collected again, with the addition of such further force as his Majesty should require, to be armed out of the King's store at Dublin. "That on receiving those his Majesty's further commands and in order thereunto he the Lord of Antrim did communicate the same first to the Lords of Gormanstown and Slane and after to others in Leinster: and that repairing into Ulster he did impart the same likewise to many there. But the fools (said he) well liking the business and not expecting or [our?] time or manner for ordering the work, fell upon it of themselves in their own way, whereby all was spoiled. That the whole design was that the Parliament then sitting in Dublin and the whole kingdom should be put into a posture and declare for his Majesty's service against those who then acted high against him; and that, to that end, the Castle of Dublin should be secured and the then Lords Justices seized, if they would not join therein; together with all others who should oppose."

Defendant remembers to have given a copy of this paper at large as signed by the Marquis of Antrim to the Earl of Orrery, then Lord Broghill, and refers to him for particulars. The Marquis often related the facts to deponent and Sir John Reynolds, then Col. Reynolds. *P.* 1. Dated 1 Feb. *Signed and certified by the Commissioners. S.P. Ireland* 306, 44.

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Deposition by Michael, Bishop of Cork, Cloyne, and Ross, taken by Same.

Deponent was employed to Ireton's camp before Carlow Castle in 1650. He was in Ireton's tent and met there Col. Robert Venables and others. Col. Venables accused the late King to the deponent of having stirred up the rebellion in Ireland. He declaimed against the cavaliers and said that the Marquis of Antrim, who was in the camp at the time, admitted that the King had sent him over in 1641 to Ireland to stir up people in the North to rebellion. Deponent said that he was not bound to believe the Marquis of Antrim, and that Ireton and the others knew that the King was too wise to entrust the management of such a scheme—if indeed he harboured it—to the Marquis of Antrim. Deponent met Antrim coming out of Ireton's tent. *Pp.* 1½, *dated, &c., as foregoing. S.P. Ireland* 306, 45.

Same of the Earl of Orrery relating to the Case against the Marquis of Antrim.

Deponent says—The Bishop of Clogher delivered him a copy of the "discourse" of the Marquis of Antrim, which he afterwards returned to the Bishop. He had a copy of it taken, which he now puts in attested, under his hand. *P.* ¾. Dated 4 Feb. *Signed by the* Earl of Orrery, *and certified by* Sir James Ware, Sir Robert Meredith and Sir Richard Kennedy. *Ibid.* 46.

Memorandum of "Discourse" of the Marquis of Antrim.

Similar in effect to the abstract given above. The following additional facts of importance are given :—

The emissary Thos. Bourke was kinsman to the Earl of Clanricarde.

The King wished the army in Ireland to be raised to 20,000 men.

After receiving Bourke's message, Ormond and Antrim tried to meet to arrange matters in accordance with them; but they found it difficult to meet alone. They used to retire into the withdrawing room of the Lords' House of Parliament in Dublin Castle when Parliament was sitting, and, when others followed them there, they used to meet at the Bowling Alley, on College Green, at Dublin. Finally they decided to inform the King of what was resolved on for his service. The Marquis of Antrim said he would send

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over Lord Maguire for that purpose and the Marquis of Ormond that he would send Lord Muskerry. Later they arranged that Dublin was no fit place to work in and they decided to meet at Kilkea, co. Kildare, in [a house] belonging to the late Countess Dowager of Kildare, whither Ormond said he would come "on pretence of hawking a recreation." When this meeting was about to take place Ormond sent to Antrim to say that one of them had better go to the King and not entrust this great affair with any other. Ormond thought that his going to Court would excite suspicion as he was no courtier, and asked Antrim to go, but Antrim refused. Ultimately Captain Digby, Constable of Dunbar [?Dunluce] Castle, belonging to the Marquis of Antrim, was sent. *Pp.* 2½. *Signed by* Orrery, *and with* note that this is a true copy of that paper which was delivered to him by Henry, Bishop of Clogher and to which his deposition refers. *Followed by—*

Deposition of Colonel Henry Owen in the above Case.

He certifies that the conversation detailed in the foregoing was held by the Marquis of Antrim with Henry Jones, late Bishop of Clogher in May, 1650, at a town, whose name he does not remember, about six or seven miles from Tycroughan, in Meath, when Colonel, afterwards Sir John, Reynolds was besieging it. Deponent and the Bishop reduced the discourse to writing, and the foregoing, which is a copy of that writing, contains truly the substance of the discourse. *P.* ¾. *Signed by* Owen, *and certified as No.* 45. *In all, pp.* 3½. *S.P. Ireland* 306, 47.

Same of Valentine Savage in the same.

In 1650 deponent was employed on business for the trustees to whom the Marquis of Ormond had conveyed the "prize wines" for securing payment of some debts for which Sir Philip Percivall, Kt., deceased, stood bound for his lordship. He had letters to Lord Broghill (now Earl of Orrery) to procure from Henry Ireton (then called Lord Deputy of Ireland) letters countenancing the deponent in the collection of the prize wines in Connaught. He delivered these letters to Lord Broghill and waited on him near Waterford, which Ireton was then besieging. Here Lord Broghill gave him two papers to copy, which were in the nature of examinations taken of the Earl of Antrim, and were signed by Henry, Bishop of Clogher and Reynolds, Sankey and other great officers of Ireton's army. The paper now shown him and signed Orrery [*see above, No.* 47, p^t. 1] is a true copy of this paper. Deponent did not copy the signatures. *Pp.* 1½. Dated 5 Feb. *Signed and certified as above, No.* 45. *Ibid.* 48.

This concludes the documents relating to this case.

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5 Feb. Whitehall. The KING to the LORDS JUSTICES for COL. CORNELIUS O'DRISCOLL.

The Earl of Meath and Lord Moore certify upon his petition that he was loyal to our cause in Ireland and adhered to the peace of 1648. He was of tender years when the commotions began in Ireland. He raised a regiment of foot at his own charge, fought for the Royal cause, was wounded in action, and was one of the last who surrendered to the late usurped power. He has since served in the Duke of York's regiment abroad, to which he brought five entire companies of foot. He shall be restored to the lands of which he was deprived by the late power. Clauses for execution (*above, p.* 179 *note*). *Pp.* 1½. *S.P. Dom., Signet Office IV.*, 243-4.

Same. SAME for CAPT. DANIEL O'KIFFE or O'KEEFE.

The Earls of Cork and Meath and Lord Moore report on his petition that his father was always loyal, that he adhered to the peace of 1648, that he raised 200 men for our service in 1650, defended his Castle of Dromagh against our enemies and put it into the hands of those who commanded our forces in Munster. It was the last hold save one that held out for our authority in Munster. The present petitioner raised a complete troop of horse in Ireland in 1650, was one of the last to lay down arms, and has since held a command for seven years in the Duke of York's regiment in France and Flanders. He shall be restored to all the lands, &c., of which he or his father was deprived by the late power. Usual clauses for execution. *Pp.* 2½. *Ibid.* 424-6.

6 Feb. Whitehall. SAME for CAPT. DAVID DANNAN.

The Earls of Donegall and Meath, report upon his petition that his father and he were loyal to the English interest in Ireland; and Capt. David himself, coming very young into France in 1641, served in the Duke of York's regiment. He shall be restored to the lands of which his father was deprived by the late usurped power. Clauses for execution. *P.* ¾. *Ibid.* 237-8.

7 Feb. Whitehall. SAME for COLONEL RICHARD GRACE.

Col. Grace served in the Royal cause in Ireland and abroad and abandoned profitable employment in foreign service in order to return to Ireland in our service at a time when our affairs were at their worst. You shall restore him to his lands of Moely [Mogheely] and his other lands, &c., possessed by him in 1641 or since that time. Clauses for execution. *P.* ½. *Ibid.* 232.

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7 Feb. Whitehall. The KING to the LORDS JUSTICES for SIR JOHN GRENVILLE or GREENVILLE and SIR WM. MORICE.

Sir John, who is Groom of the Stole, first gentleman of the Bedchamber, and Warden of the Stannaries, has done us good service, and Sir Wm. Morice, our principal Secretary of State, has done much to help in our restoration, and we are desirous of rewarding them according to their merit. We have already directed a warrant for conferring the Earldom of Bath upon Sir John, and have given Sir William proof of our confidence by appointing him to an important post in our counsels and to the management of our secret affairs. We desire to give them further honour. You shall pass to them a patent granting them jointly, or severally, Ir.20,000 acres of the manurable land, &c. (not including loughs, bogs, &c.) in the baronies of Uppercross, Nethercross, Coolock, Newcastle, Castleknock or the half barony of Radowne [Rathdowney] which falls due to us by the attainder either specially of Gregory Clement, Miles Corbett and Edward Dendy, or generally by the attainder of any persons who took part in the late rebellion. If there are not enough lands in this area to satisfy this grant, you shall give them other lands in the co. Dublin or elsewhere, as near to Dublin as may be. Special clauses for execution. *P.* 1. *S.P. Dom. Signet Office IV.* 234.

8 Feb. Whitehall. SAME for LORD AUNGIER.

Lord Aungier has not yet received sufficient reward for his services. You shall grant him by patent such of the lands in King's County and Westmeath, forfeited to us by the treason of certain persons who fought against us in the late insurrections, as are now occupied and enjoyed by Sir Hardress Waller, Isaac Ewer and John Nelson, of Cloonegawne [Clongawny], who pretend a title thereto as adventurers, soldiers or otherwise. These three persons have been excepted in our late declaration for the settlement of Ireland. Sir Hardress Waller has been lately attainted of high treason as a participant in the murder of the late King. Ewer has been excepted out of the act of Indemnity and Oblivion, and Nelson assisted in the execution of King Charles I as a halberdier and opposed the restoration. If we are unable to grant him all these lands, other forfeited lands shall be granted to him amounting to the same value as the lands given by this grant. *Pp.* 1¼. *Ibid.* 218-9.

[Before 8 Feb.] PETITION to the KING of COL. WM. WARDEN, now Major in the Earl of Mountrath's regiment of horse in Ireland, showing that:—

Petitioner has actively helped in the restoration. He "suppressed the phanatiques" by securing Dublin Castle, Cork and Kinsale and owned and promoted the Declaration for a free Parliament in the co. Kilkenny, from which he marched with six troops to the Earl of Mountrath at Dublin.

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There is, however, some suspicion of disaffection against him, and although presented for favour by the Lords Justices, he has been omitted in the establishment for the command of a troop of horse in Ireland.

He prays for continuation in his present command. *P.* ½. *Underwritten with—*

Order, dated 2 Feb., referring the petition to the Duke of Albemarle and the Marquis of Ormond. *Endd. partly in* Nicholas' *hand. S.P. Ireland* 306, 49.

8 Feb. The KING to the LORDS JUSTICES for COL. WILLIAM WARDEN.

Directing them to give to Col. Warden a commission in one of the four companies or troops which, upon the recommendation of the Duke of York, were lately ordered to be suspended. The order for suspension shall be modified so as to admit of this being done. *P.* ½. *S.P. Dom. Signet Office IV.* 220.

And draft of same. *P.* ½. *Endd. S.P. Ireland* 306, 50.

9 Feb. Whitehall. SAME for COL. NUGENT.

He shall be restored to such of his lands as are not in the hands of adventurers or soldiers, and to the rents thereof from 24 June last. *P.* ½. *S.P. Dom. Signet Office IV.* 505. *Followed by—*

COPY of PETITION of COL. NUGENT to the KING, showing that:—

He was always loyal to the Royal cause, accepted the peace of 1648 and adhered to the cause till the usurper's power became prevalent. He then went abroad and still served the present King "particularly in the great and dangerous design of reducing the garrison of Dunkirk into your hands when it was possessed by those entrusted there by the late usurper." Lord Mordaunt can testify to this. Petitioner lost much money in this service. He prays for restoration to his estate. *Pp.* 2¾. *Endd. Ibid.* 505-506.

Same. [SECRETARY NICHOLAS] to LORD CHANCELLOR EUSTACE.

I have your letters of 19 January, and the King leaves it to you to reinstate Sir Robert Meredith or not as you think fit. You were right to disband the soldiers, and the King wishes you could have disbanded some more. The King will do his best to send you money for the army, but it comes in very slowly. "The fanatics are here no less troublesome than they are with you. I doubt that the Roman Catholics do underhand incite them, and that their spirit walks among them in the likeness of Quakers." The prisons in these parts and in the country are full of Quakers for refusing to take the oath of allegiance. *P.* ¾. *Entry. S.P. Ireland* 308, *p.* 19.

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9 Feb. Whitehall. SAME to the EARL OF ORRERY.

I am grateful for your letters of the 28th and for the kindness which you show me. We heard lately that Col. Ludlow was in Wilts and that he intended to have put himself at the head of a party there if the insurrection in this city had had any success. It seems that he may have gone to Ireland, and if so you would do well to arrest him. He is one of the most dangerous rebels that have escaped from justice. The King is here raising a troop of horse guards, a regiment of foot and a troop of horse for the better prevention of the designs of the fanatics and other malicious persons and factions, but most of these forces will be but temporary and until the Government be better settled, which, it is hoped, will be in a few months. The day fixed for the Coronation is April 23, after which there will be a Parliament summoned. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 20.

Same. SAME to the LORDS JUSTICES and COUNCIL.

The King approves your policy in the government of the country and the proclamations which you have issued. He hopes to devise, with your help, some means for easing the nation of the burthen of the army. Money is now being sent. *P.* ⅔. *Entry. Ibid. p.* 21.

General date DOCUMENTS RELATING TO THE CASE OF RICHARD ARCHBOLD.

10 Feb. Copy of Petition of Richard Archbold to the King, showing that:—

Petitioner's grandfather being old, blind and bedrid since the beginning of the rebellion was till 10 or 12 years since seized of half of the small living of Killmackud [Killmachud]. Petitioner's father left Ireland in the service of Lord Fitzwilliams, of Merrion, and married and died in England, leaving petitioner and other orphans. They have no subsistence except what Lord Fitzwilliams gives them of his charity, they being children and grandchildren of his lordship's nurse. The other half of Killmachud was given by petitioner's great grandfather to one Archbold, a relative of his own, for procuring a pardon for his grandfather's brother, who was condemned to die in Queen Elizabeth's time only for being a priest. This kinsman is dead without heirs, and petitioner and his brothers and sisters therefore inherit that other half of Killmachud. Petitioner's share in the whole was given to Col. Huson, one of the murderers of the late King, by some grant from the regicide Cromwell.

He prays for restoration to his half of Killmachud, he paying the chief rent thereout to Viscount Fitzwilliams of Merrion, and that the other half may be divided between himself and his five or six little brothers or sisters. *P.* 1. *Endd. S.P. Ireland* 306, 51.

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Draft of the King to the Lords Justices for Richard Archbold.

If the facts in the foregoing are found true, they shall reinstate Archbold in Killmachud. As he is a minor he may be forgiven for any acts of disloyalty he has committed. Dated 10 Feb., Whitehall. *P.* ½. *S.P. Ireland* 306, 52.

Petition of Archbold of the Privy Council for Irish Affairs.

Recites the foregoing and prays for an order reinforcing it. *Two copies, each p.* ½. *Endd. Ibid.* 53 *and* 54.

This concludes the documents relating to this case.

11 Feb. Whitehall. Draft of the King to the Lord Justices for Col. John Paine.

Col. Paine asks for the post of overseer and director general of our fortifications and plantations in Ireland, vacant by the death of Capt. Nicholas Pinner. The Marquis of Ormond gave him this post in Nov. 1644. He shall have the post, with 5*s.* a day and perquisites as held by Sir Josias Bodley and others. *P.* 1. *Endd. Ibid.* 55.

Same. The King to the Lords Justices for Gerald Aylmer, of Balrath, co. Meath.

Directing that the warrant to certain sheriffs for restoring Aylmer to the estate of which the late usurper deprived him be immediately executed, and that he be put in possession of the towns and lands of Carrigg [Carrick], Creestoune [Craystown], Barstoune and Bignett's Hills, co. Meath, lately in the hands of Dendy, a person excepted for life and estate. Clauses for execution. Some of the sheriffs have refused to execute the warrants. *P.* ½. *S.P. Dom. Signet Office IV.* 222.

12 Feb. Whitehall. Draft of Same for the Earl of Cork.

We have appointed the Earl Lord Treasurer of Ireland, and he has therefore the right to nominate all officers of the customs there. You shall empower the Lord Chancellor to pass patents for his nominees from time to time. *P.* ½. *Endd. S.P. Ireland* 306, 56.

Same. The King to the Lords Justices for Sir Robert Hannah or Hannay, Bt.

He has represented to us the losses and imprisonment which his father and mother suffered for their loyalty to the Royal cause. King Charles I. granted to him the lands, &c. of Clanturke, Drumconraught [Drumcondra] and Balgriffin, lands of James and Robert Bath. Luke Bath has now got an order of restitution to these lands. If you find it inconvenient to restore Sir Robert to these lands you shall give him others of equal value. *P.* ½. *S.P. Dom. Signet Office IV.* 220-221.

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12 Feb. Whitehall. The KING to the LORDS JUSTICES for JEFFERY ST. LEGER.

The report of the Earl of Inchiquin and Sir James Barry on his petition shows that his brother, Capt. James St. Leger, whose heir he is, was true to the Royal cause and served it in England and in Flanders till his death. He shall be restored to his brother's lands of Ballinow *alias* Fennerstowne. Clauses for execution (*see p.* 179 *note*). *P.* ⅔. *S.P. Dom. Signet Office IV.* 226-7.

Same. SAME for COL. BRYAN MACMAHON.

His father, Col. MacMahon, accepted the peace of 1648, and for adhering to it was expelled from the property. He took refuge in the parts where our authority was prevalent, and was there protected by the Marquis of Ormond. The Marquis appointed Col. Bryan to command a regiment of horse, where he did good service. He shall be restored to the lands of which he or his father was deprived by the late power. Clauses for execution. *Pp.* 1½. *Ibid.* 468-9.

Same. SAME to MATHEW LOCKE.

Appointing him Secretary at War and to all the forces raised or to be raised in Ireland. He is to take orders from the King, the General of the forces, or the Governors of Ireland. *P.* ½. *Ibid.* 486.

Same. SAME for LADY LUCAS.

The Marquis of Ormond, reporting on her petition, shows that King Charles I. intended the gift of the wardship of Viscount Gormanstown to Sir Thomas Lucas for his quitting a command in Holland to serve him at the beginning of the rebellion in Ireland, and suggested that as the attainder of Viscount Gormanstown made that grant void in law we should think what sum should be awarded to Lady Lucas in compensation for the loss of it. Lord Gormanstown has now been restored and has had his attainder taken off, but it is not fair that he should deprive us of the advantage we were to have gained by the wardship. We hear that the question has been by consent of both parties referred to Viscount Fitzwilliam and Sir Nicholas Plunkett as arbitrators and that £1,700 should be paid as such compensation. Lord Gormanstown shall pay this and shall not be granted his estate until it is paid. Until the sum be paid Dame Lucas shall have such of his lands as are not in the hands of adventurers or soldiers. *Pp.* 1¼. *Ibid.* 245-6.

Same. SAME for SIR ROBERT HANNAY.

Ordering that he be given the command of one of the four companies which were to have been disbanded in Ireland, and that the order for disbanding be modified accordingly. *P.* ⅛. *Ibid.* 250.

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13 Feb. The KING to the LORDS JUSTICES for COL. MYLES SWYNE.

Sending his petition and directing that justice be done to him. *P.* ⅛. *S.P. Dom. Signet Office IV.* 502. Also draft of same, *p.* ½, *endd. S.P. Ireland* 306, 57.

About same. COPY of PETITION of COL. SWYNE on behalf of himself and the undermentioned officers of his regiment, showing that:—

Petitioner's family were in all rebellions faithful to the Crown of England. His grandfather, Sir Mulmory McSwyne, was knighted in the field in Queen Elizabeth's reign in the service of Thomas, late Earl of Ormond. It was through him that Queen Elizabeth first found footing in Londonderry, by the possession of which Ulster was reduced to the Crown's obedience. The petitioner's grandfather and father were of the principal men who repressed the rebellion of Sir Cahir O'Dogherty, and were with the party which killed him. In recognition of his services, Queen Elizabeth granted Sir Mulmory several lands in addition to his own with a certain number of beeves weekly and 6*s.* a day pension. This was taken from him by the unjust proceedings of the Commissioners for the plantation of Ulster; whereupon Sir Mulmory, "being ancient, grew distracted through grief and despair and made away the little left him of his estate," leaving the petitioner's father and family nothing to maintain them. Petitioner himself, having made offers to desert Owen O'Neale's party in 1648, has since served under the Marquis of Ormond and the Earl of Clanricarde, for which he was prosecuted bythe King's enemies until his Restoration. He prays that:—

(1) He may have immediate relief by way of money, land, pension or employment.

(2) That he and the officers hereinafter named may be restored to their small parcels of lands and may hold the same "futurely." They have taken no land in Connaught or Clare from the usuper.

(3) That he and they be freed from all suits and accusations, pending the sitting of the next Parliament; and from any charge in connection with the death of Mr. Atkin for which he has already been tried and cleared, as will appear by a certificate of Sir Audley Mervin, Sir W. Aston and Colonel Robert Venables ready to be produced. They wish to follow their pretensions in Ireland unmolested. If this may not be they pray that the matter may be referred to the Marquis of Ormond and the Lord Chancellor of Ireland.

The officers concerned are—Miles Swyne, Erevan, Neil, Ralph, Gorme, Daniel Dudera, Owen, and Neil Moddera McSwyne, Manus O'Donnell the heir of Owen McConor Oge O'Gallacher, Owen O'Dugan and others. *Pp.* 1½. *S.P. Dom. Signet Office IV.* 517-519.

13 Feb. Whitehall. DRAFT of the KING to the LORDS JUSTICES for SIR FAITHFUL FORTESCUE.

Directing them to discover by means of a commission of what lands Thomas Burnet, of Bulleleck [Ballyleck] was seized at the

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time of his death. He has forfeited these lands by treason. They shall be granted to Sir Faithful Fortescue, one of the Gentlemen of the Privy Chamber, at the rents, &c., usually due. *Two copies. P.* 1 *and pp.* 1½. *Both Endd. S.P. Ireland* 306, 58 *and* 58*a*.

18 Feb. Whitehall. DRAFT of the KING to the LORDS JUSTICES for SIR FAITHFUL FORTESCUE.

Directing that he be restored to the constableship of Carrickfergus Castle, which he held under King James I. *P.* ¾. *Endd. Ibid.* 59.

14 Feb. [Dublin.] FURTHER DEPOSITION of HENRY, BISHOP OF CLOGHER, in regard to the case of the MARQUIS OF ANTRIM.

Details regarding the documents in the case. *P.* ½. *Signed and certified as No.* 46 [*above, p.* 208]. *Endd.* Received from Meredith and Ware, 14 Feb. Read in Council 28 Feb. Read at the committee appointed to consider the Marquis of Antrim's case 25 March. *Ibid.* 60.

18 Feb. Whitehall. The KING to the LORDS JUSTICES for COL. WM. HAMILTON.

Directing that he be forthwith put in possession of the body and lands of John Cohlan, son and heir of John Cohlan, of Streamestown, King's Co., whereof he got the wardship by the King's letters of 31 Dec., 1660, and of such of his lands as were at any time possessed by Gregory Clement or any others who were not reprisable adventurers, officers or soldiers. Clauses for execution, and to prevent waste of the lands (*see above, p.* 179 *note*). *P.* ½. *S.P. Dom. Signet Office IV.* 232.

Same. SAME for GEOFFREY BROWNE.

It is clear from the Marquis of Ormond's report that Browne was loyal to our cause throughout the war, and suffered therefor. His father, Sir Dominick Browne, being a very aged man never served against us. Geoffrey Browne shall have all the lands, &c., which he should have by succession to or conveyance from Sir Dominick, some of which lands lie in the town and liberties of Galway and others in the town and liberties of Athenry, whilst some consist of impropriate rectories, &c., except such parts as Sir Dominick took satisfaction for at the hands of the late power. Usual clauses for execution. *P.* 1. *Ibid.* 238.

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[14 Feb.] PETITION to the KING of LIEUT.-COL. ADAM PEATE, showing that:—

Petitioner served King Charles I. at home and abroad. What he had gained by this service he lost in Dublin, it being seized by Lieut.-General Jones because he adhered to the King's interest. He bought Lord Blayney's company which was weak, and laid out £180 in arming it. He is now aged and in want. He prays for a grant of forfeited impropriate tithes to the value of £50 a year. *P.* ¼. *Followed by*—

Order, dated 14 Feb., referring the above to the Marquis of Ormond and Lord Valentia. *P.* ¼. *In all, p* ½, *and endd. with*—

REPORT from LORDS ORMOND and VALENTIA.

Recommending that the petition be granted. The report *p.* ½ *and signed. In all, p.* 1. *S.P. Ireland* 306, 61.

14 Feb. Whitehall. The KING to the LORDS JUSTICES for LORD AUNGIER.

He has been appointed Governor of Westmeath and Longford and has been given command of a troop of horse. This troop shall be established in these counties and in such places therein as you think best for our service. *P.* ½. *S.P. Dom. Signet Office IV.* 222.

Same. SAME for the INHABITANTS of YOUGHAL.

The inhabitants of Youghal were constantly loyal to the Royal cause in the late troubles. They received Royal forces into their town at the order of Sir Wm. St. Leger, and later, of Lord Inchiquin, entertained them at free quarter and solicited money for the cause. The late power deprived them of their estates in the town and without it, merely because they were Papists and Royalists. The Earls of Thomand and Inchiquin recommend that these estates and ancient liberties should be restored to them, "and that the said natives and inhabitants may freely and indifferently without contradiction, live, trade, and cohabit together with the Protestant inhabitants now dwelling in the said town without any distinction." They shall be restored accordingly. Clauses for execution (*see above, p.* 179 *note*). *P.* 1. *Ibid.* 223.

Same. SAME concerning letters, &c., directed to the LORD LIEUTENANT or other Chief Governor or Governors of Ireland.

King Charles I. at the request of the Irish House of Commons directed on 4 Jan., 1641, that all letters, grants, and despatches directed to the Lord Lieutenant or Chief Governor or Governors of Ireland, whether of a public or private nature, should be entered in the Signet Office here before being sent to Ireland, and that all

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letters sent here from Ireland should be kept safely and apart, to the end that persons might when they desired, consult them. Care has not been taken since our Restoration that this shall be done and the omission leads to frauds and inconveniences. You shall direct the clerks to whose custody you commit the letters, &c., sent to Ireland since our Restoration, and in the future, to make and keep books containing entries of all the said letters, &c., and shall also send back copies of such grants that they may be entered into the Signet books here. In future no such letters will be delivered out till they have been entered in our Signet office. In future, if any letter, grant, &c., be sent you without the attestation of the clerk that it has been entered in the Signet office here, you shall treat it as not valid. These rules shall not extend to "such public despatches of privacy concerning our said kingdom" as shall be immediately sent to you by ourselves, our principal secretaries of State, or our Privy Council. *Pp.* 1¼. *S.P. Dom. Signet Office IV.* 224, *and* copy of same and of fragment of same, *p.* ½, *endd. S.P. Ireland* 306, 62 *and* 63.

14 Feb. Whitehall. The KING to the LORDS JUSTICES for JOHN SEAGRAVE of Cabragh [Cabra], co. Dublin.

Directing that as his loyalty is attested by the Marquis of Ormond and Sir Maurice Eustace, he be restored to such lands in the City and County of Dublin and in the cos. Meath and Kildare as were taken from his father Henry by the late power. Clause for reprisals. *P.* ½. *S.P. Dom. Signet Office IV.* 226.

Same. SAME for COL. RICHARD FITZGERALD of Ballimaster, co. Cork.

He served the Royal cause under the commands of Ormond and Clancarty; and also abroad. He shall be restored to his lands. Clauses for execution (*see above, p.* 179 *note*). *P.* ½. *Ibid.* 229.

Same. SAME for SIR ARTHUR FORBES, KT.

Directing that letters patents already ordered to be issued for granting to Sir A. Forbes the wardship of his son-in-law, Sir. Wm. Stewart, be issued forthwith, in spite of the later warrant for giving the same wardship to George Marsh. *P.* ¾. *Ibid.* 303-5.

Same. SAME for CAPT. JAMES ROACH.

Directing that he be granted the impropriate tithes of the parishes of Moshell [Mothel], Rothgormocke and Ballylantrine [Ballylaneen], co. Waterford, for 31 years if they are found to be in the King's disposal. *P.* ¼. *Ibid. p.* 237.

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14 Feb. Whitehall. The KING to the LORDS JUSTICES for SIR JAMES SHAEN, KT.

Directing that he be appointed General Register and principal and chief clerk to the Chief Commissioners appointed and instructed for the execution of the Declaration for the settlement of Ireland. He shall have power to nominate under-registers and clerks and shall hold his office so long as there is need for it. The fees receivable by his office shall be fixed by you and the Council in Ireland in order to avoid extortion. He shall receive into his custody all Commissioners' books, records and writings brought before the Chief Commissioners which you shall think right to be kept for better executing the late Declaration. *Pp.* 2¾. *S.P. Dom. Signet Office IV.* 343-5.

DOCUMENTS RELATING TO THE CASE OF MATHEW PLUNKETT.

General date 14 Feb. Petition of Mathew Plunkett, son of Lord Louth, to the King, showing that :—

He comes of loyal ancestors and was himself expelled by the usurper and deprived of his estate.

He prays for restoration and for immediate support out of some part of his estate. *P.* ½ with order, &c., as foregoing, dated 22 Oct., 1660, *and signed* "Ra. Freman," referring the petition to Lord Chancellor Eustace. *S.P. Ireland* 306, 64.

Copy of further petition of Same to Same, showing that :—

Petitioner's grandmother was by the King's order put in possession of such part of her jointure as was in his Majesty's hands, and the charge put upon it by the late usurper's order was removed. His grandmother is now dead, and his father, Lord Louth, has conferred on petitioner what his grandmother had and what else the petitioner has by the King's order.

He prays that he may be allowed to possess these lands and for quiet enjoyment and freedom from charges. *P.* ½. *Endd. Ibid.* 65.

Draft of the King to the Lords Justices.

Directing that the petition be granted by grant under the Broad Seal of Ireland. The charges formerly paid to Chas. I. or the King are reserved, but no others. *Pp.* 3. *Endd. Ibid.* 66.

The King to the Lords Justices for Mathew Plunkett, as above.

Sir Maurice Eustace reports on Plunkett's petition, after seeing certificates by the Marquis of Ormond and others, that he was forward in reducing Dunkirk to our obedience ; and adds that he was a prisoner with him [Sir Maurice] at Chester where he suffered for his loyalty. He shall be restored to his father's lands, and profits thereof as from 24 June last. Usual clauses for execution. *See above, p.* 179 *note. Pp.* 2½. *S.P. Dom. Signet Office IV. p.* 333-6.

This concludes the documents relating to this case.

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15 Feb. Whitehall. The KING to the LORDS JUSTICES for MARY, widow of MILES CORBETT.

She petitions that she brought her husband £2,500, and that during the late trouble she "improved all her interest under the countenance of her husband's power for the security and support" of the King's loyal subjects. She is impoverished by the felony of her late husband and asks for a grant of his personal estate in Ireland. This request is granted. Clause for execution. *P.* 1. *S.P. Dom. Signet Office IV.* 387-8.

15 Feb. PETITION of COL. WILLIAM STUART to the KING, showing that:—

Petitioner served King Charles first under the Marquis of Newcastle, and then under "that never-to-be-forgotten the renowned and Royal Montrose." He was captured at "Philipshathe" [Philiphaugh], but escaped and served in Ireland under the Marquis of Ormond. He had a company there till the Marquis left Ireland for England and there followed him. He has since been imprisoned.

He prays for restoration to command of a company in Ireland. *P.* ½. *Endd.*, with certificate of the Marquis of Ormond testifying to the facts above mentioned, *p.* ½, *signed by* Ormond; dated 15 Feb., 1661. *The whole, pp.* 1¼. *S.P. Ireland* 306, 67.

16 Feb. Whitehall. [SECRETARY NICHOLAS] to the LORDS JUSTICES.

The King has considered yours of the 4th at the Council Board. The Bills are now under consideration and shall go back with convenient speed. His Majesty has declared that a Parliament shall meet in Ireland on 8 May, the day on which it meets in Ireland. As to right of patronage and of presentation to ecclesiastical livings in Archbishops, Bishops and lay patrons, colleges, and other public societies, which may possibly in strictness of law be interpreted to be by lapse devolved on his Majesty for this turn, his Majesty waives all such rights. You may if you wish get the writs of summons drafted in order that they may be ready when the King's Commission to hold a Parliament arrives. *P.* 1. *Entry. S.P. Ireland* 308, *p.* 22.

18 Feb. The KING to the LORDS JUSTICES for MATHEW LOCK.

He has been Secretary for Martial Affairs in Ireland, and is continued at that post. He shall be inserted in the establishment at 20*s.* a day and with 5*s.* a day for his clerk. *P.* ½. *S.P. Dom. Signet Office IV.* 485; *also two drafts, p.* 1 *and p.* 1; *one* stating that he was appointed on Feb. 12 "Secretary at War and to all our forces raised there;" *the other* that it is merely a continuation of

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Lock's previous appointment. *The latter is followed by* draft of the letter of 12 Feb., 1660, appointing Lock to the post of "Secretary at War and to all our forces raised or to be raised" in Ireland. *q.v. In all, pp.* 1½. *Endd. S.P. Ireland* 306, 68 *and* 69.

18 Feb. Whitehall. The KING to the LORDS JUSTICES for JOHN BELLEW.

John Bellew who is son of the late Sir Christopher Bellew, Kt., has not received the full benefit of our order of 18 Oct. last granted him for restoration to his estate. He shall be restored forthwith to his lands in Louth, Meath and Dundalk. His mother, Lady Frances Bellew shall be restored to her jointure in those counties. Clauses for execution (*see above, p.* 179 *note*). *Pp.* 1½. *S.P. Dom. Signet Office IV.* 310-11.

Same. SAME for LIEUT. JAMES BUTLER, of Killroskeliane [Rossaguile?], co. Tipperary.

The Earl of Inchiquin and Lord Moore report upon his petition testifying to his loyalty. Lord Ormond's certificate declares his father Theobald to have been loyal. For his adherence to the peace [of 1648?] Theobald was seized by Owen O'Neale and would have been put to death, but that he was rescued by Lord Inchiquin. For his loyalty he suffered banishment for eight years. Lieut.-Col. Butler shall be restored as an innocent person. *Pp.* 1½. *Ibid.* 482-3.

19 Feb. Whitehall. SAME for WM. ANDREWES.

He has petitioned for payment for supplies which his father provided for our army in Ireland at the beginning of the late war. He shall be satisfied out of the lands set out by the late power in co. Kildare to Michael Lasteele and others, provided that this shall not operate to take any lands from Col. Henry Markham or his assignees whom we will in the first place to be fully and effectually settled and restored. Andrewes shall have a patent. *P.* ⅔. *Ibid.* 229.

Same. SAME for EDWARD ROBERTS.

Roberts was seized of certain lands formerly owned by James Baron Strabane, to which George, now Lord Strabane is to be restored by our Declaration of 30 Nov. last. He is also put out of other lands in the same way. He shall have his reprisals one-half in the co. Dublin in the barony of Cowldike [Coolock] and the other half in the barony of Yeomakilly [Imokilly], co. Cork. *P.* ½. *Ibid.* 228.

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19 Feb. Whitehall. The KING to the LORDS JUSTICES for COL. ROBERT SAUNDERSON.

We have not yet been able to reward Col. Saunderson, but are assured of his loyalty and of his long experience in martial affairs. You shall grant him by patent the reversion of the first foot company that shall fall vacant. *P.* ½. *S.P. Dom. Signet Office IV.* 249-50.

20 Feb. Whitehall. SAME for SIR THOMAS STANLEY.

He is now returning to Ireland to plant and settle his lands and we recommend him to you for countenance and encouragement. *P.* ½. *Ibid.* 227.

Same. SAME for the EARL OF THOMOND.

In right of his wife Sarah, who was relict of Col. John Reynolds, the Earl is seized of several forfeited lands in Ireland. These lands were not among those set out for adventurers or arrears. You shall treat the Earl as favourably as may be in the matter, and shall grant him patent of such lands as you set out to him. *Pp.* 1¼. *Ibid.* 378-9.

20 Feb. The MARQUIS OF ORMOND to SECRETARY NICHOLAS.

Recommending Sir Edward Fitzharris, who is a loyal and honest gentleman. *P.* ½. (*Hol.*). *Add. S.P. Ireland* 306, 70.

20 Feb. Whitehall. COPY of CERTIFICATE by SAME.

He certifies that Col. Piers Lacy, of Brouffe [Bruff], has loyally served the Royal cause. He raised a troop of horse in Ireland, and when it was lost at Ramines [Rathmines], recruited it and defended Limerick at Ormond's order against Ireton. For the better defence thereof he burnt his father's house at Brouffe. For this defence his aged father was imprisoned six years, and died in prison. When transported with 1,000 men abroad, Col. Lacy forced the ship which was taking him to Spain to land in France, thereby hoping to assist the King. *P.* ½. *Endd. Ibid.* 71.

20 Feb. Dublin. The EARL of ORRERY to SECRETARY NICHOLAS.

Thank you for your letters. *Details.* Our intelligencers are deceived if Ludlow and Woogan are not in Ireland. We are assured by some that he last week escaped them narrowly and that in a few days we shall have a good account of him. I ever long to hear this as he is in my opinion one of the most dangerous of his Majesty's enemies.

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We are daily disbanding the horse and dragoons who are supernumerary to the King's declared establishment of Ireland. The £20,000 which we have will serve only to pay off the horse and dragoons above the set number. If we could reduce the foot it would be of great advantage. We do, I bless God, gain ground every day of the Nonconformists and fanatics, for we give no indulgence to any but proceed according to the known laws of the land. "We are waiting for the return of bills transmitted to England in order to the calling of a Parliament, but that bill on which the Protestants are most intent is the bill for administering the Oath of Supremacy to the House of Commons here, it being in effect our foundation stone." It would be strange if those who are not admitted to execute the laws or be justices of the peace without taking the oath, should be able, without taking it, to be law makers. I send a letter from the fanatical officers in Munster that you may see how things go on there. *Pp.* 2. (*Hol.*) *Endd. in* Nicholas' *hand. S.P. Ireland* 306, 72.

20 Feb. Dublin. The KING to the LORD JUSTICES.

The Commissioners for executing our Declaration for the settling of Ireland and their officers are too much occupied with our service to attend to their private affairs. Each of them shall have one forfeited dwelling house in Dublin in satisfaction of his arrears to 5 June, 1649 and the baronies of Coolock (except Malahide and 1,000 acres thereabout which are reserved for Sir James Shaen) and Bulruddery [Balrothery] shall be set out to them for their reprisals, after 20,000 acres in the co. Dublin have first been set out to Sir John Greenville and Sir Wm. Morice. The encumbrances on the estates of these Commissioners and officers shall be satisfied out of the forfeited and unrestorable estates in the baronies of Salt and Clare [Clane?], co. Kildare, and their deficient adventures shall be satisfied in the barony of Dundalk, co. Louth. If this arrangement does not satisfy them fully you shall give them satisfaction elsewhere, subject to our Declaration. *Pp.* 2. *S.P. Dom. Signet Office IV.* 395-6.

[21 Feb.?] COPY of PETITION of ROBERT HAMILTON to the KING, showing that:—

Petitioner constantly attended His Majesty in England, Ireland and Flanders, and is now destitute.

He prays for a grant of the post of "master sealer of ledder" in the province of Ulster. *P.* ½. *Endd. together with* similar petition of the same. *S.P. Ireland* 306, 73.

21 Feb. Whitehall. The KING to the LORDS JUSTICES for CAPT. ROBERT HAMILTON.

Directing them to confer on him the post of high ranger and keeper of the King's woods in Ulster. *P.* ½. *S.P. Dom. Signet Office IV.* 269.

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22 Feb. Whitehall. CERTIFICATE of the EARL OF CLANCARTY.

Certifying the loyalty of Thos. Fitzgerald of Glin, co. Limerick. He always objected to the cruelties done to Protestants and hoped for the establishment of the Royal authority. *P.* ½. *Signed. S.P. Ireland* 306, 74.

Same. DRAFT of the KING to the LORDS JUSTICES for SIR ROBERT BYRON.

Sir Robert has to leave Ireland on important service for the King in England. During his absence from Ireland his 'entertainment' in Ireland shall suffer no check. *P.* ½ *and p.* 1. *Two copies. Endd. Ibid.* 75 *and* 75*a.*

The KING to the LORDS JUSTICES for JAMES COGHLAN, of Kincorra, [Kincora], King's County.

The Earl of Donegall and Lords Moore and Baltinglass report on his petition showing that he and his father were loyal and inoffensive, supported the English interest in Ireland and were protected by the Lords Justices in Charles I.'s time. Coghlan shall be treated under the clause of our late Declaration which refers to innocent Papists who took lands in Connaught and shall be restored to his lands, &c. of Kincorra [Kincora], Fierbane[Ferbane], Lisdearge [Lisderg], Killcomen [Kilcomin] and the rest of his estate in King's County, of which he was dispossessed by Gregory Clement, or which was lately in his possession. Usual clauses for execution. *P.* ¾. *S.P. Dom. Signet Office IV.* 235.

General date 23 Feb. DOCUMENTS RELATING TO THE CASE OF ARTHUR, VISCOUNT MAGENIS OF IVEAGH.

Copy of Petition to the King of Arthur, Lord Viscount Magneise [Magenis], of Iveagh, showing that:—

Petitioner, at the outbreak of the late rebellion in Ireland, was in Dublin, and was a ward to the late King. He afterwards served long and loyally in the war and was one of the last colonels to submit, as appears by his articles with Commissary General Reynolds. He then went abroad and served the Royal cause, becoming a captain in the Duke of Gloucester's regiment. On the late peace made by the Marquis of Ormond in Ireland, he was by orders put in possession of all his estate in that country. The Declaration declares him, and a report by the Lord Chancellor on his petition of October last asserts him, to be a person meriting the King's favour. He is nevertheless kept out of his estate.

He prays for restoration to the lands which are in the upper and lower baronies of Iveagh. *P* ½. *Endd. S.P. Ireland* 306, 76.

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The King to the Lords Justices for Arthur, Viscount Magenis, of Iveagh.

Directing that he be restored to his estate. *P.* ½. Dated Whitehall, 23 Feb., 1661. *S.P. Dom. Signet Office IV.* 244-5. Draft of same. *P.* 1. *Endd. S.P. Ireland* 306, 77.

Sign Manual Warrant to the Same for Same.

Directing that, whilst the case of Arthur, Viscount Iveagh, is under consideration, the tenants on such of his lands as are not in the hands of the King or of adventurers or soldiers shall keep their rents in their hands. Persons pretending any title to these lands shall not meddle with them till the case has been disposed of. *P.* ¾. *Countersigned by* Nicholas. *Ibid.* 78.

This concludes the documents relating to this case.

25 Feb. Whitehall. The King to the Lords Justices for Sir Allen Broderick.

Sir Allen has been loyal and has helped much towards our restoration. We direct you to grant him the lands, with all rents, arrears, &c., in Dublin and Kilkenny, lately belonging to John Hewson or Hueson and Daniel Axtell, known as Colonel John Hewson and Col. Daniel Axtell, who have been attainted of high treason. If we have no title to some part of these lands the defect shall be made good to him in other lands. *P.* ¾. *S.P. Dom. Signet Office IV.* 236.

Same. Same for Lord Collooney and Sir Arthur Forbes.

We desire to show special favour to Lord Collooney and Sir Arthur Forbes on account of their loyalty, and assistance in our restoration. You shall show them all possible favour in the matter of their satisfaction; and you shall set out to Lord Collooney the house and [?in] Back Lane in Dublin which is in the possession of Ralph Kinge or such other house as Lord Collooney shall desire; and to Sir Arthur Forbes the house at the sign of *the Feathers* in Castle Street, or such other forfeited house in Dublin as Sir Arthur shall desire. These grants to be made in payment of their arrears before May and June, 1649. *Pp.* 1¼. *Ibid.* 356-7.

Same. Same for Major Michael Bellew, son and heir of Patrick Bellew, of Verdonstown, co. Louth.

Lords Moore and Baltinglass testify, on Major Michael's petition, to the innocence and constant loyalty of Patrick Bellew, and the Marquis of Ormond certifies that Major Michael submitted to our

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peace, and defended Carlow Castle for us against Ireton and others. He was a major in our service during the siege of Galway and behaved as a dutiful officer.

He shall be restored to the lands of which he or his father or their tenants were deprived by the late power. Clauses for execution. *Pp.* 1½. *S.P. Dom. Signet Office IV.* 276-277.

25 Feb. Whitehall. The KING to the LORDS JUSTICES for THEOBALD, VISCOUNT MAYO.

Sending his petition and directing them, if they find the particulars therein stated to be true, to take what steps they think right to restore him to his father's estates. He has "continued his loyalty to us under the principle of a Protestant." *P.* ½. *Ibid.* 284-5.

Same. SAME for LORD VALENTIA.

He has been loyal and is too much occupied in our affairs to attend to his own. There shall be set out to him for his reprisals the forfeited lands in the barony of Newcastle, co. Dublin, the surplusage of forfeited lands in the possession of John Blackwell, of Moreclinche,[1] Esq., the forfeited lands in the islands of Valentia and Berehaven, and the lands set out in Connaught and Clare for those who are now returning to lands occupied by Lord Valentia. He shall also have any surplusage which may arise under these arrangements in payment of his other claims according to the rules in our Declaration; and also all the other forfeited lands now in his possession. Usual and favourable clauses for deficient adventures, arrears, &c. for execution. They shall give him possession *de bene esse* of such of these lands as are or shall be in the King's hands, and, after a final setting out, shall make him grants thereof by patents. *Pp.* 3½. *Ibid.* 416-9.

25 Feb. CERTIFICATE by CAPTAIN JOHN PURDON.

Testifies to the loyalty of Thos. Fitzgerald of Glin. He never was in arms amongst the Irish, "but being an unwealdy man lived quietly upon his own estate without intermeddling with the affairs of those times, otherwise than when and where the concernments of his estate or fortunes did enforce him in a passive manner thereunto." *P.* ⅔. *Signed, and also signed and certified by* W. Glascock. *S.P. Ireland* 306, 79.

Same. COPY of SAME by JAMES, EARL OF CASTLEHAVEN.

Captain Teige MacMahon served under him in Lord Ormond's regiment of horse as captain of a troop. He and his father and grandfather were loyal and served the Royal cause well in the co. Clare. His father raised him the troop of horse in Ireland, spent money in defence of the cause, and died in exile in the army in Flanders. *P.* ⅔. *Ibid.* 80.

[1] Probably Mortlake, Surrey. *See* Cal. of S.P. Ireland Adventurers, 1649-59, Index, *s.v.* Blackwell, John.

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25 Feb. Whitehall. The KING to the LORDS JUSTICES for the EARL OF ORRERY.

The Earl is too busy with the public settlement of Ireland to attend to his private estate. We are anxious to give him as much favour in his respective settlements as is consistent with our Declaration. You shall see that the forfeited lands in the barony of Uppercross, co. Dublin and in the "Peare" the islands of Barrymore [?] and Barrycourt [Barryscourt] and Innescaters [Enniscattery] shall be set out to the Earl as reprizes in exchange for lands of his which may be restored to their former owners.

This to be done as favourably as possible consistently with our Declaration. Any lands set out upon decrees in Connaught or Clare to persons who are now restored to lands occupied by the Earl shall be also reserved for compensating the said Earl in case the lands beforementioned are not sufficient for the purpose. Further and strongly favourable clauses follow. He shall forthwith be put into possession of so much of the lands of Uppercross and of the islands of Barrymore and Innescatery [Enniscattery] as are in the King's hands, and be given a grant thereof by patents. *Pp.* 3. *S.P. Dom. Signet Office IV.* 443-6.

26 Feb. Whitehall. SAME to SAME for MARGARET STEPHENSON, widow, of Dromoylin, co. Limerick [Dromoylene, co Clare?]

Her loyalty is certified by the Earl of Donegall, Lords Moore and Baltinglass and by the Marquis of Ormond and others. Her son, Lieut.-General John Barry, served in our cause. She shall be restored as an innocent person to her estates of which the late power deprived her. Usual clauses for execution (*see above, p.* 179 *note*). *Pp.* 1½. *Ibid.* 260-61.

Same. SAME for STEPHEN, son and heir of JOHN LATIN or LATTIN, of Moristowne, co. Kildare.

John Latin, the father of petitioner, was distracted in his senses and of unsound memory. In the intervals of his distraction he declaimed against the plunders done against the Protestants in 1641. He has charge of nine children. Petitioner, his son, served in our army abroad for three years as a common soldier. Stephen shall be restored, to the use of his father John and John's children, to the lands in Naas, Moristown, and elsewhere, of which he was deprived by the late power. Clauses for execution. *Pp.* 2¼. *Ibid.* 274-6.

Same. [SECRETARY NICHOLAS] to the LORDS JUSTICES.

Your bills cannot yet be sent back as they have not been fully discussed. The bill concerning the Oath of Supremacy will have some more debate before it can be determined. It is hoped there

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will not be many Roman Catholics chosen to serve in the Parliament on that side. The bill of recognition is not yet fully agreed on. The like, being fully prepared for the last Parliament here, was laid aside as useless. We hear Cardinal Mazarin remains desperately ill in France. If he die it will make a great difference to the affairs of all Christendom. I have not yet been able to get you the desired order in the case of the Countess of Clanbrizill [Clanbrassil], but hope to be shortly able to do so. It is a deserving case. I have a bad cold. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 23.

General date

DOCUMENTS RELATING TO THE CASE OF DUDLEY BAGENALL.

26 Feb. Copy of Petition of Dudley, son of Col. Walter Bagenall, to the King, showing that:—

In 1653, the year after petitioner's father was murdered by a pretended High Court of Justice sitting at Kilkenny, petitioner was ordered £30 a year by those who then governed "for his maintenance and education at the free school in Dublin, where he remained about five years; and being two years since sent to Oxford with a promise of continuing your petitioner the said allowance, together with a further increase of means; yet your suppliant never received the benefit thereof by reason of the changes which came one upon the neck of the other" and ended in the Restoration.

He prays that his pension may be paid with arrears and some increase until his estate is restored. It is in Carlow, which county was not allotted to adventurers or soldiers, and the revenues of which came into the Exchequer. *P.* ½. *Endd.*: "Ref. Lord Chancellor." *S.P. Ireland* 306, 81.

Further Petition of Same, showing that:—

Petitioners ancestors, Sir Nicholas Bagenall and Sir Henry his son, served under Edward VI. and Queen Elizabeth as Knights Marshals of Ireland, and died fighting against the rebels.

Col. Dudley Bagenall, petitioner's great grandfather and brother of Sir Henry, was killed in action against the rebels.

Col. Walter Bagenall was in 1652 murdered at Kilkenny [*see foregoing*] contrary to the law of nations, he being a hostage for the performance of articles, which were fully performed of his side.

He prays for restoration, &c., as in foregoing. *P.* ½ with order dated 25 Oct., 1660, referring the petition to the Lord Chancellor of Ireland. *In all. P.* 1. *Endd. Ibid.* 82.

2 Jan. Draft of [the King to the Lords] Justices for Dudley Bagenall.

Recommending Bagenall, who has suffered much through his loyalty, to him and directing that he shall, if the facts in his petition prove true, be relieved according to his desires. *P.* ½, *with sign manual. Ibid.* 83.

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Copy of further Petition to the King of Dudley, son and heir of Col. Walter Bagenall, deceased, showing that:—

Petitioner's ancestors, Sir Nicholas and Sir Henry were Marshals of Ireland and lost their blood and lives against the Irish rebels. Sir Henry's brother Col. Dudley was also killed in action against them. In 1641, petitioner's father offered the Lords Justices to serve the late King "for the punishing of these horrid murders committed a little before in the North of Ireland, which, as if no other course were more proper than an imitation of those barbarous proceedings, they retorted on the heads of those innocent and harmless persons, the children of those English colonies which were of the first that inhabited and conquered Ireland for the crown of England."

"And proceeding with this preposterous cruelty to the parts more remote from Dublin, they enforced your petitioner's father with many hundreds more to take up arms in their own defence; the said Justices having for a cloak to their pretended mischiefs given your petitioner's father about some twelve muskets and as many pikes for the defence of the whole county of Caterlaugh, whereof they appointed him governor, but, soon after that, petitioner's father, with many others," submitted to and served under the Marquis of Ormond, "and thence forward continued as loyal in action as before in affection."

"In testimony whereof the petitioner's said father so far opposed the perfidious breakers of the said peace that he was not only very instrumental in saving the Lord Marquis of Ormond and a considerable party, which his Excellency led forth from Dublin for the publishing of the said peace, but offered also to depart from his own home with wife, children and goods, and expose them and his own life to the same fortune with his Excellency, by whom your petitioner's father was, notwithstanding, commanded to remain in the said county of Carlow for the better advancement of his Majesty's interest. Yet, soon after, being taken together with the Lord of Muskry and some few persons of quality by the prevailing party of Owen O'Neile, the petitioner's father endured a tedious confinement in Kilkenny Castle to the great hazard of his life." Being then preserved he used all his efforts in the Royal interest, "till, contrary to the law of nations, he was murdered at Kilkenny in the year 1652 by a pretended High Court of Justice, being then a hostage for a performance of articles fully performed of his side."

Petitioner prays for restoration to this estate especially as it lies in Carlow, one of the counties not disposed of to adventurer or soldier. The revenue from that county now comes into the Exchequer in Dublin as being formerly laid aside for the use of Oliver Cromwell. *P.* ⅔. *Endd. S.P. Ireland* 306, 84.

The King to the Lords Justices for Col. Dudley Bagenall.

It appears by the Marquis of Ormond's report dated 19 Nov. last, upon Dudley Bagenall's petition, that his father, Col.

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Walter Bagenall, submitted to the peace made in Ireland in 1646, and assisted the Marquis in various ways whilst he was governor of the co. Carlow. He would have marched with the Marquis of Ormond to Dublin, leaving behind him such of his estate as he could not carry away, but that he received order from the Marquis to stay in Carlow. Soon after, by the prevailing power of the Pope's Nuncio, he was removed from his command and imprisoned in Kilkenny jail. He served loyally under Ormond and Clanricarde till put to death by Cromwell at Kilkenny by a pretended High Court of Justice, he being then a hostage in the hands of the prevailing power. Petitioner's brother, Capt. Geo. Bagenall, was slain in the Royal service in Ireland, and Dudley Bagenall himself has given proof of his loyalty even when a student at Oxford. We desire to reward him both on account of his own services and because "the eminent services of their ancestors to our Royal predecessors do highly merit our grace and favour, Sir Nicholas Bagenall and Sir Henry Bagenall, his son, ancestors to the said Dudley Bagenall, Knights Marshals of Ireland, having lost their lives in the service of King Edward VI. and of Queen Elizabeth, and Col. Dudley Bagenall, great grandfather of the said Dudley Bagenall," having also died fighting against the rebels. You shall consider how our desire, as stated above, to reward Bagenall may be carried out, and report if there is need of further action on our part for that purpose. *Pp.* 1¾. Dated 26 Feb., 1661. *S.P. Dom. Signet Office IV.* 253-5.

Also drafts of similar letters, one quite short, the other containing more favourable clauses for Bagenall, which are erased. P. 1 *and pp.* 5. *Endd. with date,* 31 Jan. *S.P. Ireland* 306, 85 *and* 86.

This concludes the documents relating to this case.

27 Feb. Whitehall. The KING to the LORDS JUSTICES for MARGARET, LADY DOWAGER [BOURKE], of Castle Connell.

The Earl of Donegall and Lords Moore and Baltinglass, report on her petition that she was loyal to the Royal cause and did eminent service to it, and charitable acts to distressed Protestants. This report is confirmed by certificates of the Marquis of Ormond, the Earls of Inchiquin and Clancarthy, and by other affidavits. She shall be restored to all the lands, &c., whereof she or any of her tenants were deprived by the late power. Clauses for execution. *P.* 1. *S.P. Dom. Signet Office IV.* 256-7.

Same. SAME for WILLIAM CREAGH.

Creagh is one of the ancient inhabitants of the City of Cork, who, according to the report of the Earl of Donegall and others on

his petition, remained firmly loyal in the late rebellion. He shall be restored as an innocent Papist to his lands in Cork City and elsewhere and to his ancient privileges in the city. Clauses for execution. *Pp.* 2. *S.P. Dom. Signet Office IV.* 336-8.

27 Feb. Whitehall. The KING to the LORDS JUSTICES concerning the IRISH REVENUE.

We are informed that our revenue in Ireland is likely to rise, owing to forfeitures, rents of adventurers and soldiers, and the increase of trade and the new English Colonies there. We have always sought to collect that revenue in the manner most convenient for our subjects and for that purpose have made arrangements for collection in Ireland similar to those which exist in England. We appointed four provincial receivers—Sir James Shean for Leinster, Roger, Earl of Orrery for Munster except Clare, Charles, Viscount of Castle Coote, and Richard, Lord Collooney for Connaught and Clare, and Henry Waddington for Ulster. We leave to you the questions of the method and amount of their remuneration provided that none of them receive more than £100 *per annum*. You shall establish a scale of fees for them. You shall treat fairly officers of the Exchequer, whose position may be damaged by the new appointments and especially the Receiver General of Ireland, who shall receive full compensation for the prejudice he sustains thereby. You shall give the above-named persons patents of appointment to their posts. The provincial Receivers shall pay in our general rents and revenues to the Vice-Treasurer of Ireland, but shall pay what they receive by virtue of the Declaration from the adventurers and soldiers to John, Viscount Massereene or any other officer specially appointed to receive and deal with that fund under our Declaration. *Pp.* 4. *Ibid.* 361-5.

Same. SAME for SIR MAURICE EUSTACE, LORD CHANCELLOR and LORD JUSTICE OF IRELAND.

Sir Maurice is so occupied in our affairs that he cannot attend to his own. He shall have for his reprisals the half barony of Rathdowne [Rathdowny], co. Dublin, except the lands therein recently belonging or reported to belong to John Jones and Edmund Ludlow. In case these are not sufficient, he shall have set out to him the lands in Connaught and Clare formerly set out to those who now are restored to lands taken from Sir Maurice. Any surplusage which may be left by this arrangement shall be set out to meet his other claims for arrears, decrees, &c. You shall put him at once *de bene esse* into possession of so much of these lands as are in the King's hands pending a formal setting out and grant by patent. *Pp.* 2½. *Ibid.* 390-92.

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27 Feb. Whitehall. The KING to the LORDS JUSTICES for LIEUT. WILLIAM BOURKE, of Beallasymon [Ballysimon], in the City of Limerick.

The Earl of Meath and Lord Moore report on Bourke's petition that his father was loyal to our cause through the rebellion in Ireland, and submitted to the peace of 1648, and Lieut. Bourke has for many years served in foreign parts in the Duke of York's regiment. He shall be restored to the lands of which he or his father was deprived by the late power. Usual clauses for execution (*see above p.* 179, *note*). *Pp.* 1½. *S.P. Dom. Signet Office IV.* 450-452.

Same. SAME for the EARL OF MOUNTRATH.

The Earl is too busy with affairs of State to attend to his private concerns, and we are anxious to show him favour on account of his eminent services. The undisposed [un]restorable forfeited lands in the barony of Nethercross, co. Dublin, except the "land-stake" in the possession of Col. Hamon's relict or heirs or their assigns, shall be set out to him for his arrears and for reprisals for lands taken from his occupation and restored to their former owners. If there be any surplusage in the barony, it shall be set out to him in payment of his other claims, according to the rules in our Declaration. You shall show him all possible favour and shall put him in possession *de bene esse* of such lands aforesaid as are now in our hands at an easy rent, pending a formal setting out and grant by patents. *Pp.* 2½. *Ibid.* 472-4.

Same. SAME for RANDEL FLEMING, Baron of Slane.

The Earl of Donegall and Lords Moore and Valentia certify upon his petition that the late baron, his elder brother, was Lieut.-Colonel of the Irish regiment in the King of France's service. He served with it in Italy, and, when the Marquis [then Earl] of Ormond was at Brussels, offered to bring this regiment away in the King's interest. The late Lord Slane also served under Ormond in Ireland. The present petitioner shall be restored to the lands of which he was deprived by petitioner. Usual clauses for execution. *Pp.* 1¾. *Ibid. p.* 476-8.

DRAFT of the KING to [the LORDS JUSTICES].

Sending them the petition of Randel, Lord Baron of Slane, and a certificate thereon of the Marquis of Ormond. They shall treat him as his loyalty and good services deserve. *P.* ½. *Undated.*[1] *Endd. S.P. Ireland* 306, 87.

(1) Put with foregoing for convenience.

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27 Feb. The Earl of Clancarty to John Nicholas.

I hoped to meet you yesterday in the Long Gallery to confer with you about sending away the bearer for Ireland. I dare not send my orders concerning my estate with any other but him. My wife cannot go without him, so I hope you will hasten the business. *P.* 1. *Signed. Add. S.P. Ireland* 306, 88.

27 Feb. Whitehall. The King to the Lords Justices for Lord Massereene and others.

Lords Massereene and Kingston, Sir George Lane and Sir Audley Mervin have been entrusted with and diligently prosecuted the settlement of Ireland, so much so that they have not had time to attend to their own settlements. We are anxious to show them the favour consistent with our Declaration. You shall set out to each of them "a convenient dwelling fortified house" such as each shall make choice of, in Dublin, in payment of their arrears before 5 June, 1649, and we direct that the reprisals given them in compensation for any of their lands restored to restorable persons, be set out to them in the barony of Castleknock, co. Dublin, wherein they shall be preferred to all others not particularly ordered to be reprised there. They shall not, however, be preferred to Sir John "Granevile" and Sir Wm. Morrice, who are to have 20,000 acres of forfeited lands there. Their encumbrances shall be made good to them in the barony of Ferrard, co. Louth, next after those of Viscount Valentia and Sir James Shaen (who are to have 4,000 and 3,000 acres respectively). If you cannot settle them in these places you shall do so elsewhere, showing them as much favour as you can, consistently with our late Declaration. *Pp.* 2½. *S.P. Dom. Signet Office IV.* 369-71.

Same. Same concerning the reprisals due to Members of the Privy Council.

The Privy Council and their clerk, Sir Paul Davies, and secretary, George Carre, are so employed in our service that they cannot attend to their particular affairs. You shall set out to each of them, and to Davies and to Carre, one convenient dwelling house in Dublin, in payment for their services before 5 June, 1649. You shall set out any reprisals which may be due to them in compensation for lands taken from them, and restored to former owners, in the barony of Coolock, co. Dublin (except the town and lands of Malahide and Sir James Shaen's 1,000 acres) and in the barony of Balruddery [Balrothery] in the same. Their incumbrances shall

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be satisfied in the baronies of Salt and Clare [Clane], co. Kildare, and their "deficient adventures" in those of Dundalk and Louth, co. Louth; or, failing these, in other suitable places. *Pp.* 2. *S.P. Dom. Signet Office IV.* 372-4.

28 Feb. Whitehall. The KING to the LORDS JUSTICES for HENRY CROMWELL.

Ordering that he be confirmed in the possession of the lands which were set out to him in the baronies of Dunboyne and Ratoath, co. Meath, and in or near the town of Portumna, in satisfaction of debentures amounting to £7,039 16*s.* 8*d.* and whereof he was possessed on May 7, 1659. If any of these lands be restored to the former proprietors by the Declaration of Nov. 30, 1660, he shall receive reprisals for them. *P.* ½. *Ibid.* 247-8.

Same. SAME for ST. JOHN BRODERICK, ESQ.

Granting him the command of one of the four companies which were to have been disbanded in Ireland. The order for disbandment to be modified accordingly. *P.* ⅓. *Ibid.* 251.

Same. SAME for GEORGE THORNTON and KATHRINE, his wife.

Reporting on the petition of these petitioners, who have applied on behalf of themselves and of Daniel O'Brian of Carrigogonnill [Carrigogunnel], co. Limerick, the Earl of Donegall and others certify his loyalty to the Royal cause; and the report is confirmed by a certificate of the Marquis of Ormond and other affidavits. The Marquis of Ormond as a mark of favour conferred on him the wardship of the body and lands of Daniel O'Brian, then an infant. The Thorntons shall be restored, &c., to their estates and the wardship. Usual clauses for execution (*see above, p.* 179 *note*). *Pp.* 1⅔. *Ibid.* 258-9.

Same. SAME for the EARL OF MOUNTRATH.

We are anxious that the Earl shall have full reprisals for such of his lands as are appointed to be restored to the former proprietors thereof. The lands mentioned in the following schedule shall not be disposed of till he has been fully satisfied for all his lands which may be so restored to former owners. *P.* ½. *Followed by*—

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Schedule of Lands:—

In the co. Dublin.

The lands of Ballymadroght [Ballymadrough] and several parcels in Colemanstown, Rathcoole, Ballymore Estace [B.—Eustace], and Ballyclever [Cheeverstown], formerly owned by Marcus Fitzsymons, of Ballymadroght [Ballymadrough?].

The castle, town and lands of "Tartaine" [Artane], Ballcarrick [Ballycarrick], Much Hollywood, Little Hollywood, Kinard [Kinoud], Brownestowne [Brownston], Naptown [Napton], and several parcels in Beltra [Baltra], Toberberne [Toberboyne], Killeigh [Killeek], Moate [Mote], Donaldstown [Donalston], Cottrelstown, Cabragh [Cabra], and Garrystown [Garristown], formerly possessed by Nicholas Holyrood.

The town, &c., of Kinure [Kenure], formerly possessed by Robt. Walsh.

Brymore [Brimore], and head, *alias* Newhaven of Brimore, Clonish [Clonshagh?], and some parcels adjoining to it. Crivrath [Cruicerath], and parcels of little Staheny [Stahenny], formerly belonging to Mathew Barnewall, of Brimore.

Certain parts of Wyanstowne, Oldtowne, Clonmethan, Newings [New Inns], Surgalstown, Laurencetown [Laurestown], Mallaghow [Mallahow], and "Knockingen" [Knockingan?], formerly possessed by Thomas Conran of Wyanstown or Wynanstown.

Certain parts of the town and fields of Ballwinstowne [Baldwinstown], Swords, Buckstowne, *alias* Foukestowne [Folkstown or Puckstown?], Stradbally and Killmainham, formerly the property of Wm. Talbot, of Robertstown [co. Kildare?].

The town and lands of Lispopill and Brumin *alias* Druminfield, formerly belonging to Richard Barnewall, of Lispopill [Lispopple].

Mallahide [Malahide], Hamanstowne [Hammondstown], Balbregan [Balbriggan], Garrystown [Garristown], and several parcels on Tobbergragand [Tobergregan], Ballinstowne [Balostown], Adamstowne, and Newetowne of Garryestown [Garristown], formerly belonging to John Talbott, of Malahide.

Trenure [Terenure], Camadge [Kimmage], Gallantstown [Gallanstown], Drumnagh [Drimnagh], parcel of Ballruddery [Balrothery], and about 500 acres round about Ardee, co. Louth, formerly possessed by Richard Barnewall of Terenure.

Leeperstowne [Leopardstown], Stellurgan [Stillorgan], Ballycory [Ballycorus?] and Newetowne in the Strand, formerly the property of Wm. Wolverston.

The lands of Loughlandstown [Loughlinstown], formerly belonging to James Goodman and the lands in and about Tipper belonging to Sutton. *Pp.* 1½. *In all, pp.* 2½. *S.P. Dom. Signet Office IV.* 263-5.[1]

[1] Mr. W. H. G. Flood has kindly helped me with several of these identifications.

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28 Feb. Whitehall. The KING to the LORDS JUSTICES for THOMAS, son and heir of EDWARD COMERFORD, of Callan, co. Kilkenny.

The Marquis of Ormond certifies on Thomas' petition that Edward was his servant for many years and that he served the Marquis and the Royal cause faithfully till his death in 1649. Thomas Comerford enlisted as a young man in our army in Ireland in 1649, and served till overcome by the usurped authority. He shall be restored to the lands in Callan, in the co. Kilkenny or elsewhere in Ireland, whereof the late power deprived him, his father, his mother Anstace or his tenants. Usual clauses for execution (*see above p.* 179 *note*). *Pp.* 2⅛. *S.P. Dom. Signet Office IV.* 266-8.

Same. SAME for SIR THEOPHILUS JONES.

Directing that he be appointed Scoutmaster-General of Ireland, held by Sir Thos. Dutton in the times of peace. *Two copies. P.* ¾. *Ibid.* 278: *and pp.* 1½, *ibid.* 294-5.

Same. SAME for FRANCIS TYRELL.

It appears from the reports on Tyrell's petition that two fines were levied in 1636 by the Court of Common Pleas in Ireland, by which fines Christopher Nugent, of Robinstown, co. Meath, conveyed certain lands, &c., to Edmund Tyrell, of Athboy, co. Meath, merchant for 97 years. These lands were as follows:—

Ten messuages, ten tofts, ten gardens, four hundred acres of pasture, with the appurtenances of Kilmore, Cowpark, Assingrow [Assey?] and Skillingrass [Skillinglas], in the co. Dublin, and other lands, meadow, &c. (*details given*) in Robinstown, Godaganstown [Gaddaghanstown], Higginstown and Bracagh [Brackagh], with the fishing weir on the river Brosna, co. Westmeath.

By several depositions taken in a suit between the said Francis Tyrell and Wm. Basill, who called himself Attorney-General to Oliver Cromwell, concerning the premises, it appears that Christopher Nugent was seized of these lands and made a lease of them to Edmund Tyrell for valuable consideration, and that, after Edmund's death, Francis received the rents thereof before the rebellion in Ireland; and letters of administration of Edmund's goods, &c., dated 20 June, 1640, granted to Francis, were produced. Certificates were also produced of the effect that Francis Tyrell and his father Peter preserved the lives of several English Protestants in the beginning of the rebellion and that Francis so behaved himself as to deserve our favour.

He shall accordingly be restored to all his lands and interests. *Pp.* 2. *Ibid.* 279-81.

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28 Feb. Whitehall. The KING to the LORDS JUSTICES for the EARL OF DONEGALL.

King James I by patents, dated 20 November, 1622, granted to Arthur, Lord Chichester, the fishings in Lough Neagh, Lough Sidney or Lough Chichester, and in the River of Bann and the "Soyles," of the said lough and river, unto the rock or fall of water called the salmon leap in the Bann, being in Down, Armagh, Tyrone, Antrim and Londonderry and also certain eel-weirs in the Cann [Bann]; also power to come to the banks of the river and lake and spread nets for fishing. In 1638, Edward, Viscount Chichester, and his son Arthur, now Earl of Donegall, surrendered their rights under these patents, in accordance with King Charles I.'s letters of 24 September of that year, in exchange for a pension of £40 a year, with the right to fish in the said Lough for their own provision and with the eel-fishing at or near Toome. John, Viscount Massereene, is now possessed of the premises and we have lately let them to him at £40 for the first seven years and £50 afterwards. The reversion of this lease shall be granted to the Earl of Donegall and his heirs, to meet the arrears of the pension due to him, together with the rent now reserved to us on the premises. Clauses for execution (*see above, p.* 179 *note*). *Pp.* 2⅓. *S.P. Dom. Signet Office IV.* 287-9.

Same. SAME for CAPTAIN WM. HAMILTON, of "Lough Currine" [Lurgacullion?], co. Tyrone.

We are anxious to reward Captain Hamilton for his services [for which see the King's letters of 23 Oct., 1660, *above p.* 59.] You shall forthwith give him out of the lands in the barony of Dungannon, co. Tyrone, lately appropriated by the Declaration for arrears for service before 5 June, 1649, satisfaction for all his arrears and all sums due to those whose heir or administrator he is. If this barony does not contain sufficient forfeited lands to satisfy him, you shall give him satisfaction out of the undisposed lands in the baronies of Ardagh and Granard, co. Longford. *Pp.* 2. *Ibid.* 304-306.

Same. SAME for JOHN FARRELL.

Directing that if the parcels of land in co. Longford called Cloonoghra [Clonoghra], Lacklonath [Laghlooney], Cloonefoure [Cloonfore], Clonderath, and Knappoge are in the King's disposal, Farrell be admitted as tenant to them and be afterwards granted the fee farm thereof by patent. *P.* ⅔. *S.P. Dom. Signet Office IV, p.* 324.

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— Feb. Whitehall. The KING to the LORDS JUSTICES for WILLIAM, EARL OF STRAFFORD.

The Earl's petition shows that much money was taken from the estate of his father and himself for the Royal service in Ireland, for repairing Dublin Castle, building the Custom House, for letting out tobacco at reduced rates, and for relieving the army by order of the Council in Dublin or of the then Lord Inchiquin. He has been compelled to sell much of his estate in England in order to pay his father's debts. You shall appoint two or more of our Council in Ireland to report as to the debt owed by the State to the two Earls. In the meantime you shall order all rents which come due to us by the said Earl for the territory of the Byrnes in Wicklow to be suspended till the debt is stated and our pleasure therein signified. *P.* ½. *S.P. Dom. Signet Office IV.* 230-31.

Same. SAME for SAME.

The Earl of Strafford and Thomas Radcliffe, Esq., inform us in their petition that about the year 1637, the late Earl of Strafford, and Sir George Radcliffe (father to petitioner) did in the name of Sir Philip Percival and others entrusted for them or any of them, for good consideration, purchase divers lands in Ireland of Viscount Taaffe, O'Connor Sligo, and others. For part of these lands absolute legal conveyances were not perfected, but only articles for further assurances, in regard that King Charles I. was then conceived to be justly entitled to the whole province of Connaught by the Grand Office there taken. Although further assurances were not made, yet, after consideration given and after buying up divers "joynctures" and other encumbrances, the purchasers quietly enjoyed the lands and received the rents thereof until 1641, when the rebellion broke out. By reason of that rebellion, some of these lands may have vested in us.

You shall consider the petition, and if you find the facts true, shall make a grant of all the lands which you find to have been purchased, so far as we may have any interest in them, to the Earl of Strafford and Thomas Radcliffe, according to the equitable claim which each may have to them. With regard to any lands which you find not to have been purchased, we shall, on report from you, do what seems to us fair. *P.* ⅔. *Ibid.* 231.

Also draft of same. *P.* 1. *Undated. S.P. Ireland* 306, 89.

Feb. Whitehall. DRAFT of the KING to the LORDS JUSTICES.

Directing that in recognition of the services of the late Commissioners for the Government of Ireland, they shall be paid their

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salaries at the rate of £1,000 a year, not only up to 22 Nov. last, as was originally intended, but up to the 2nd day of last January, the date on which the new Justices assumed the government of Ireland. The Commissioners were the Earls of Orrery and Mountrath, Viscount Valentia, Lord Massereene, Sir John Temple, and John Weaver and Wm. Bury, Esquires. *Pp.* 1½. *Endd. in* Nicholas' *hand. S.P. Ireland* 306, 90.

About Same. The KING to the LORDS JUSTICES for CAPTAIN JOHN BOYLE, of the co. Cork.

Directing that he be appointed Chief Clerk and Register of the Prerogative Court in Ireland, or, failing that, be appointed to some post of equal value in the King's service in Ireland. *P.* ⅔. *Endd. Ibid.* 91.

Same. SAME for FRANCIS SHAEN, of the co. Dublin.

Directing that he be appointed Register of the Court of Wards and Clerk of the Docquets in Ireland, now or when the post shall be void, or, failing that, &c., *as foregoing*. *P.* ⅔. *Endd. Ibid.* 92.

Same. COPY of PETITION to the KING, of MARY, relict of SIR LUKE FITZGERALD, of Ticroghan, and of her granddaughter, MARY, sole heiress of the said SIR LUKE and MARY'S son, GEORGE, showing that:—

Ticroghan was one of the last places which held out for the King in Ireland, but ultimately fell into the usurper's hands with all the real and personal estate of the elder petitioner's late husband. Sir Luke was nominated by the King out of the thirty-six persons to be restored to his estate by the Royal Declaration for the settling of Ireland. Petitioners, nevertheless, cannot get restored. They pray for a pension or for the quit rents reserved on Sir Luke's estate. *P.* ¾. *Ibid.* 93.

[Before 4 Feb.][1] COPY of PETITION to the KING of MABELLA FITZGERALD, alias DIGBY, widow, mother of JOHN FITZGERALD, late of Dromanna, co. Waterford, deceased, and of RICHARD FITZGERALD, *alias* FRANCKLYN, and LETITIA, his wife, only sister of the said JOHN, showing that:—

The petitioner, Mabella, is and has for years been possessed of certain lands, out of the estates of the said John Fitzgerald, as jointure in lieu of dower. The petitioners Richard and Letitia

(1) *See* the grant to Dame "Ellen" Fitzgerald (*above p.* 206), at 4 Feb., 1661.

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have a just title to all the said estate lying in the counties of Waterford and Cork in virtue of a settlement made by the said John and are now in suit for the same as well in the High Court of Chancery in Ireland as in the King's Bench in England, and by the opinions of several eminent lawyers ready to be produced, have right to recover the same from Edward Villiers, Esq., who pretends title thereunto in right of Kathrine, his wife, although by the breach of a certain condition in the said settlement, the said estate is vested in the petitioner Letitia in fee. There are several long leases yet in being and undertermined of several parcels of the said estate. Edward Villiers is endeavouring "upon undue suggestions to your Majesty" to pass letters granting the estate to himself, his wife and the heirs of his body, without finding out by office any title for the King, and thereby intending to defeat the jointure of the petitioner, Mabella, the dower of the now Countess of Clanricarde (lately the wife of John, son to Mabella) and the leases. He is trying to lay a ground for a future vexation to your petitioner, Richard and Letitia, and to several families whose ruin will be compassed if such letters patents do pass or take effect.

They pray that the grant may not be passed or enrolled until they have been heard and the title of Richard and Letitia be determined at law. *P.* ½. *Endd. S.P. Ireland* 306, 94.

Copy of Petition of Captain Thomas Browne to the King, showing that:—

On 21 Jan. last, the King being satisfied with certain reports as to petitioner's loyalty and good service, directed the Lords Justices to restore him to his estate, and the Sheriff of Cork gave him possession on 24 April last. He was afterwards ejected by order of the Commissioners for executing the King's Declaration on a petition preferred in the name of the Earl of Anglesey, on the pretext that one Major George Walters was in possession thereof on 7 May, 1659 and that he sold his interest to the Earl of Anglesey on 27 November last. This sale is sought to be made good by the King's Declaration of November 30, although Walters had only a grant from Henry Cromwell, whereas petitioner's right is incontestable. Petitioner, who comes of an old and loyal family, was only one year old when his father, Sir Valentine Browne died, and only seven years old when the war began. He remained at school for seven years and then went to France, where he remained till the peace in Ireland was signed. He afterwards returned to Ireland and served under the Duke of Ormond, who gave him a commission till Ireland was conquered by the usurper. He then went again to France, continued in the King's service and now has a company under the Duke of York.

He prays for restoration to his estate and for his rents since 24 June, 1660. *Pp.* 1½. *Ibid.* 95.

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General date Feb. 166⅘.

PAPERS RELATING TO THE CASE OF CORNET JOHN MONTGOMERY, of Ballevely, co. Antrim.

Petition to the King of Cornet Montgomery, showing that:—

He has served the King loyally, and to the detriment of his fortune. He prays for a grant of the forfeited ferries on the Shannon, which are now in the King's hands and worth but £50 a year. *P.* ½. *S.P. Ireland* 306, 95*a*.

Copy of Certificate by certain inhabitants in the territories of the Routt [Rowte] and Glens [Glins] in Antrim.

They certify that Cornet Montgomery came to Ireland in 1651, soon after the King's being at Worcester and remained there since. He never did anything disloyal. *P.* ¼. *Signed by* Gordone, Arch. Stewart, Alex. McCaulay, Dan McNeill, Arch. McPheders, Peter Beaghan, Adam Boyd, Wm. Fullerton, Ro. Kenedie, and Arch. Hutcheson. Dated 22 Jan., 166⅘. *Followed by*—

Copy of Same by Viscount Montgomery of the Ards, *to same effect as foregoing*. *P.* ¼. Dated 17 Feb., 166⅘. *Followed by*—

Copy of Same by Lord Newburgh and David Leslie.

They further certify the loyalty of Cornet Montgomery and say that he went from Ireland to Scotland with horses at the time of the King's arrival there. He was employed in the King's Life Guard till the defeat at Dunbar, and preserved there the King's standard at the risk of his life, which he afterwards gave to the Earl of Eglinton at St. Jonston. From that time he remained in his lordship's troop till the King's coronation. He served at Warrington and at Worcester fight, where his horse was killed under him [*details given of his service*]. He was there captured and shipped for Virginia. *P.* ½. Dated 8 March, 166⅘. *The whole on same page, making in all, p.* 1. *Endd. in* Nicholas' *hand. Ibid.* 96.

This concludes the documents relating to this case.

End Feb. [?][1]

COPY of PETITION of SIR FAITHFUL FORTESCUE to the KING showing that:—

Petitioner is constable of Knockfergus fort in Ireland and enjoyed that post for upwards of 30 years till 1641, when the late

(1) *See* 13 Feb., 1661, *above p.* 216-7.

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King disposed of it to the Parliament. At that time petitioner and the warders were in arrear. The Marquis of Ormond then put a company of foot into the fort when the rebellion began in order to preserve so important a place. Petitioner's vice-constable was placed in command, petitioner being in England. It is now under command of an officer who was a colonel of the usurper.

Petitioner prays that his former office may be conferred on his son Thomas and that a company may be continued there under the son's command. The son is competent to serve the King in that capacity, as the Marquis of Ormond can prove. *P.* ⅔. *Endd. S.P. Ireland* 306, 97.

MARCH, 1661.

1 March. Whitehall. The KING to the LORDS JUSTICES for the EARL OF MOUNTRATH and others.

The Earl of Mountrath, Lords Kingston and Collooney, Sir Oliver St. George, Sir John Cole, Sir Theophilus Jones, Sir James Shaen, and Chidley Coote, Esq., amongst others, were, before the Restoration, and now are, possessed of certain lands in Leitrim, Longford, Wicklow and Donegal and within the mile line in the province of Connaught and Clare as security for their arrears for service before 5 June, 1649. By our letters from Whitehall and Brussels, we promised the Earl of Mountrath that those who, with him, adhered to our cause for our Restoration, should be confirmed in their lands. We desire to keep that promise. These persons can be satisfied in these lands without any violation or breach of our late Declaration, although it contains no express pronouncement in their favour, inasmuch as they were in possession of these lands before the said Declaration was issued. They shall be confirmed in so much of the said lands as will pay them 12*s.* 6*d.* in the £ of their arrears at the rates prescribed in the Declaration. Favourable clauses for execution. *Pp.* 2½. *S.P. Dom. Signet Office IV.* 585-7.

Same. SAME for VISCOUNT DILLON.

The late power pulled down a house called Balalahen belonging to Viscount Dillon, and with the timber. &c., found on his lands built a fort at a place called Belahie [Bellahy?] We grant this fort which has been called Fort Cromwell and shall in future be called . . . . . [*name not given*] to Lord Dillon. If you keep up the garrison there you shall pay Lord Dillon as governor thereof a sum not exceeding 10*s.* a day, and send men there out of our established army. *Pp.* 1⅓. *Ibid.* 556-8.

Same. SAME for EDMUND, VISCOUNT MOUNTGARRET.

We are informed that Viscount Mountgarret endeavoured to incline the Irish to submit to Charles I. in 1646 and that he

published our peace in Kilkenny in that year, for which he was imprisoned by the opposers thereof. He afterwards followed the Marquis of Ormond abroad and returned with him to Ireland in 1648. He subsequently served the Royal cause in France. He shall be forthwith restored to all the property whereof he was deprived by the power of the late usurper and to the rents thereof from 24 June last. Usual clauses for execution (*see above p.* 179 *note*). *Pp.* 2. *S.P. Dom. Signet Office IV.* 331-3.

1 March. Whitehall. The KING to the LORDS JUSTICES for SIR JAMES SHAEN.

Directing them to pay to Sir James £500 out of the sums now in, or which shall first come into, their hands for premises, furnishing, books, paper, &c., for the Commissioners for executing the late Declaration and Instructions for settlement of Ireland. *Pp.* 1¾. *Ibid.* 376-7.

Same. SAME for HUGH FLATTRY and WM. HAMILTON.

Divers lands in the barony of Garrycastle, King's County, which are in our possession owing to the execution of Gregory Clement for treason, were let by him for large fines and rents to Flattry and Hamilton. We confirm these leases, as a reward for their services, Flattry and Hamilton, jointly or severally, as shall be advised. *P.* 1. *Ibid.* 474-5.

2 March. Whitehall. SAME for PATRICK and ROBERT NETTERVILL.

We have heard in Council the motives of the petitions of the above younger sons of Nicholas, Lord Nettervill, deceased. The matter had already come before us and we referred it to the Earl of Orrery and the rest of the Commissioners from Ireland to reconsider and prepare for insertion in our Declaration an additional clause for the petitioners' relief; or else to certify the Board why such clause should not be inserted. A report was returned to us signed by the Earl of Orrery, Lord Massereene, Sir Audley Mervin, and Sir Wm. Aston, importing that there should be an additional clause inserted in the Declaration for securing what legal interest the petitioners have in the lands and estate intended to be confirmed by the said Declaration to the relict of Sir Symon Harcourt, and that the said clause was ready to be produced. Nevertheless we find that this clause has been omitted and that Patrick and Robert Nettervill who, relying thereon, had made no further application to us, are likely thereby to be deprived of our intentions towards them. They shall have their legal interest secured to them according to the report, and equal benefit with others nominated in the Declaration. Reprisals shall be set out to the parties concerned according to the Instructions. *P.* ¾. *Ibid.* 483-4.

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3 March. Whitehall. The KING to the LORDS JUSTICES for the MERCHANTS of WATERFORD.

Sending their petitions and mentioning their loyal services to, and sufferings for, the Royal cause, and directing that, if their case be found true and do not thwart the Royal instructions, they shall be restored to their estates. Meantime they may return to Waterford to trade, &c., freely. Clause for reprisals (*see above p.* 179 *note*). *P.* ½. *S.P. Dom. Signet Office IV.* 367.
Also draft of same. *P.* ⅔. *Endd. S.P. Ireland* 306, 98.

4 March. Whitehall. SAME for JANE BARNEWALL or BELLEW, widow.

Lords Drogheda and Baltinglass report that she should have a rent of £100 a year from the towns and lands of Lispople [Lispopple], and Knockbune ? [Knockbane, co. Kildare, or Knockbawn, co. Wicklow ?], co. Dublin, in lieu of jointure and in consideration of a marriage portion paid on her intermarriage with Peter Barnewall, of Lispople, son and heir of Richard Barnewall, of the same, Esq. She may seek her remedy for recovering this rent by law or equity. Clause for execution. (*See above p.* 179 *note.*) *P.* 1. *S.P. Dom. Signet Office IV.* 282.

Same. SAME for PIERCE NAGLE, of Moneanemy [Monanimy], co. Cork.

The Earl of Meath and Lord Moore report favourably on his case. He shall be restored, &c., as above. Usual clauses for execution. *Pp.* 2. *Ibid.* 289-91.

Same. SAME for CORMOCK RYEN, of Monyfien [1] [Moneyfinn], co. Limerick.

Lords Donegall and Moore testify to his loyalty. He shall be restored as an innocent Papist. Usual clauses for execution. *Pp.* 1½. *Ibid.* 298-300.

Same. SAME for ROBERT GRIFFITH.

Directing that he be appointed one of the Sergeants-at-law in Ireland. *P.* ½. *Ibid.* 253.

(1) Suggested by Mr. W. H. G. Flood.

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5 March. Whitehall. The KING to the LORDS JUSTICES for COLONEL OLIVER JONES.

Directing that, as a reward for his loyalty, he be given the command of one of the four foot companies whose commands are at present respited. *P.* ½. *S.P. Dom. Siget Office IV.* 262-3.

Same. SAME for THEOBALD, LORD VISCOUNT TAAFFE.

He has served the Crown loyally, and shall be promptly restored to his lands, a step in which the Commissioners employed to us by the General Convention of Ireland concur. He shall have the Michaelmas rents which his tenants were, on 24 August last, directed by us to keep in their hands. Special clause for execution. *Pp.* 1½. *Ibid.* 285-6.

Same. SAME for WENTWORTH, EARL OF ROSCOMMON and SIR GEORGE HAMILTON.

They are to be restored to their lands in consequence of certain Acts passed in the last session of Parliament. They shall have the full benefit of these Acts and all charges on their estates shall be cancelled in the Exchequer. *P.* ⅔. *Ibid.* 311-12.
Also draft of same. *P.* ½. *Endd. S.P. Ireland* 306, 99.

Same. SAME for EDWARD HEATH and OTHERS.

One Robert Phare by the name of Col. Robert Phare possessed himself of certain lands in Wexford, which were forfeited to us by the rebellion of the owners. He conveyed these to Edward Heath, of Colsmore in Rutland, Timothy Stampe of Enworthy and Thos. Yate, D.D., of the University of Oxford, and their heirs or some of them. Heath Stampe and Yate have since spent large sums of money on this property in ironworks, houses, and an English plantation. You shall make an effectual grant to them of all the lands, &c., which Phare possessed, and of their improvements, in free socage for ever. *Pp.* 3. *S.P. Dom. Signet Office IV.* 324-7.

Same. SAME for MAJOR SAMUEL BULL.

Directing that he be granted a lease for 31 years of the towns and lands of Banagher and the lands adjoining thereto, as also the "great salmon weir and all other our fishings in the river Shannon at or near the trap about our city of Limerick" with all appurtenances, &c. *P.* 1. *Ibid.* 386-7.

Same. SAME for CAPT. WALTER NUGENT.

A report of the Earl of Donegall and Lord Moore testifies to the loyalty of Walter Nugent, of Donower [Donore], co. Westmeath, to

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the Royal cause. When the rebels conquered the country Nugent left his estate and went to Flanders and there fought in the Duke of Gloucester's regiment till his death. The Duke of York further recommends his son, Robert Nugent, who served in the Duke of York's troop of guards. He shall be restored to the lands of which his father was deprived by the late usurper. Usual clauses for execution (*see above p.* 179 *note*). *Pp.* 2. *S.P. Dom. Signet Office IV.* 426-8.

5 March. Whitehall. The KING to the LORDS JUSTICES.

Directing a Commission to be issued to the Lord Treasurer, Vice Treasurer, the General Receivers of the Kingdom and the Chancellor and Barons of the Court of Exchequer, empowering them, with the assistance of the Sergeant-at-Law, Attorney and Solicitor-General—or any two of them—during term time and for six days after the close of each term, to reduce, qualify and instal all forfeited recognizances issues fines and amerciaments, after they are and shall be estreated, to such moderate sum and penalty as, in view of all the circumstances of the case, they think just. *Pp.* 1½. *Ibid.* 429-31.

Same. SAME for ROBERT FINGLAS.

The Earl of Donegall and Lord Baltinglass report certifying his father John's loyalty to the peace of 1648, and that his brother, Cornet Walter, was killed in a sortie from Drogheda, when Cromwell was besieging it. Robert was also loyal. He shall be restored to his father's lands. Clauses for execution. *Pp.* 1½. *Ibid.* 552-3.

5 March. Dublin. The LORDS JUSTICES of IRELAND to SECRETARY NICHOLAS.

In accordance with the King's letters of 21 August last, we have considered what sum is due to Sir Christopher Roper for a pension of 6*s.* a day granted him by King James; and we have ordered that £250 be paid him. We could ill spare this sum, which in itself will help him very little, and do not know how to pay him until the revenue of this kingdom becomes equal to the charge upon it. We hope that you "on that side" will find some means to assist so worthy a servant of the King. *P.* ¾. *Signed. Add. Endd. in* Nicholas' *hand. S.P. Ireland* 306, 100.

5 March. Whitehall. SECRETARY NICHOLAS to the LORDS JUSTICES and COUNCIL.

The King is pleased at your reduction of the army and will send more money to ease his subjects. His Majesty does not think it wise to restrain the resort of Scotch people to Ireland as the trade between those two territories is so great; but it is thought fit that you should let the Chancellor and Council of Scotland know

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that if you hear from them of any dangerous persons coming over, you will take steps to restrain them. The King wishes you to correspond with the Scotch Government on matters which are of interest for the two kingdoms. I send you two warrants. The Elector of Brandenburg's ambassadors have arrived. Cardinal Mazarin is dead. *P.* 1. *Entry. S.P. Ireland* 308, *p.* 25.

6 March. Dublin. SIR PAUL DAVIS to SECRETARY NICHOLAS.

I am grateful for your letters and for the intentions of the King towards me. I have considered his Majesty's desire to know the true value [of certain lands which I desire to possess] and it occurred to me that I might make use of some surveys of the late usurper. In his time no stone was left unturned to find out the value of all men's estates, and returns were made by juries of the value of all estates in the year, 1640. I searched in the Surveyor General's office and found a return of the value made by a jury. If the Commissioners did not agree with such jury returns, they increased them by such figure as they thought fit. I send you a copy of the return relating to Finglas' lands showing what their true value was in the best times. The jury's return shows that the lands I move for were worth £168 in 1640, which is under my estimate, but the Commissioners put up the figure to £221, which is higher than mine. I know not the particulars of the lands and do not want to interfere with adventurers or soldiers. I send you a letter for the King's signature wherein the grant is confined to the co. Dublin only, so as to be secure not to clash with any of the adventurers or soldiers.

The matter is now clear for the King's signature and I shall be most grateful for his bounty. *Other details. Pp.* 1¾. (*Hol.*). *Add. Endd. S.P. Ireland* 306, 101. *Enclosing:—*

Tabular statement showing for certain lands in the barony and parish of Balrothery, co. Dublin.

(1) *The proprietors' names and qualifications.*
(2) *The denominations of lands.*
(3) *The number of acres.*
(4 *and* 5) *The profitable and unprofitable lands.*
(6) *The value in* 1640 *as assessed by the Jury and by the Commissioners.*

P. 1, *large. Endd. Ibid.* 101*a.*

6 March Whitehall. The KING to the LORDS JUSTICES for HENRY O'NEILE, of Killelagh [Killealy], co. Antrim.

O'Neile did not, as is represented to us, join the rebels in 1641. He was at the time a ward of Charles I. and not above 15 years old and was compelled to go to the rebel quarters about 1643, because

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his mother was there and he had no means of support. He shall be restored to his estate as from 24 June last, although he took out lands in Connaught from the usurper for his present support. *P.* ⅔. *S.P. Dom. Signet Office IV.* 261-2.

6 March. Whitehall. The KING to the LORDS JUSTICES for JAMES BUTLER, of "Danganspidoge," co. Kilkenny.

The Marquis of Ormond and Viscounts Moore and Baltinglass report testifying his loyalty. He shall be restored to the lands in Kilkenny taken from him by the late usurper. Usual clauses for execution. (*See above p.* 179 *note.*) *Pp.* 1⅓. *Ibid.* 352-3.

Same. SAME for ARTHUR, EARL OF DONEGALL.

We have ordered that the forfeited houses in cities, towns and corporations in Ireland should be allotted as part of the satisfaction of those who served the King in Ireland before 1649. The Earl of Donegall shall have one such house in Dublin, deducting the value thereof from his arrears. *P.* ½. *Ibid.* 291-2.

Same. SAME for SIR ROBERT ROTH, of Tullaghmain [Tullamaine], co. Kilkenny.

The Marquis of Ormond and Viscounts Moore and Baltinglass report favourably upon the character of petitioner and of his father David. He shall be restored to the lands whereof he was deprived by the late usurper. Usual clauses for execution. *Pp.* 1½. *Ibid.* 350-51.

7 March. Whitehall. SAME for WM. BLACKNEY, of "Rickintrore" [Riggenhore], co. Dublin.

Lords Valentia and Kingston, reporting on his petition and having seen a recommendation of the Marquis of Ormond, declare that Blackney's father was loyal, and that he himself never took lands in Connaught or Clare from the usurper.

He shall be restored to the lands of which he was deprived by the usurper. Clauses for execution. *Pp.* 1½. *Ibid.* 283-4.

Same. SAME for LIEUT.-COL. ADAM PEATE.

Directing that, as a reward for his loyalty and in relief of his indigent old age, he be granted forfeited impropriate tithes to the net value of £50 for the term of his life. *P.* ½. *Ibid.* 279.

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7 March. Whitehall. The KING to the LORDS JUSTICES for SIR JAMES SHAEN.

Directing that he have the office of Principal Secretary of State and Keeper of the Privy Signet in Ireland in as full and beneficial a manner as Sir Philip Mainwaring, Sir Francis Blundell and his other predecessors had it. Sir James has agreed to pay to Sir Philip Mainwaring a certain sum in order that he (Sir James) may at once enter upon this office, which Sir Philip is now too old to perform. On this surrender being completed, they shall make Sir James a member of the Privy Council and in general show him favour. *Pp.* 2. *S.P. Dom. Signet Office IV.* 347-9.

Same. The KING to the LORDS JUSTICES.

Directing them to add to the Commission appointed to carry out the King's late Declaration and instructions for settling the kingdom of Ireland, the Presidents of Munster and of Connaught, the Earl of Kildare, the Lord Chancellor, and Randolph Clayton, Esq. The Chancellor and one of the Presidents to be of the *quorum*. *P.* ½. *Ibid.* 371-2.

Same. SAME for JOHN BELLEW.

The Earl of Donegall and Lords Baltinglass and Kingston report —satisfying us of Bellew's loyalty. He was lieutenant of the Ordnance in Ireland, and was forced to transplant and "apply himself to the several judicatures at Athlone and Loughreagh for lands in Connaught," but did not do so of his own free will. He shall be put into such of the ensuing lands as are in our possession, viz.:—

Lisrany [Lisrenny], Little Arthurstown, Nicholstown, Kenvickrah, [Canonrock, co. Louth*], Daveselands, Willistowne, Adamstown, Plunkett's lands, Graftonstone, Hitchestowne [Hitchetstown], Reynoldstown and Garvagh, together with all lands, &c., which ought to belong to him and are in our hands.

Details. If he cannot get these lands he shall have full reprisals. Clauses for execution. *Pp.* 2. *Ibid.* 491-492.

Same. SAME for ROBERT HALL.

Directing that patents be passed settling upon Robert Hall during good behaviour the post of Gentlemen Usher of the Black Rod to the House of Lords in Ireland, to which he has been appointed by the Lords Justices. *P.* 1. *Ibid.* 379-80.

* Suggested by Mr. W. H. G Flood.

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7 March. Whitehall. The KING to the LORDS JUSTICES for COL. MORTAGH O'BRIEN, of Drumore [Dromore], co. Clare, and for his brother, TERLAGH O'BRIEN.

The Earl of Donegall and Lords Moore and Kingston report on the petition of these persons, that commissions by the Marquis of Ormond, dated Nov., 1649, were produced before them, making Mortagh captain of a troop of horse and colonel of a regiment of foot in our army, and that they have seen our letters thanking Mortagh for his services against the then rebels, a testimonial signed by us under our privy signet in which we state that Col. Mortagh served us under the Marquis of Ormond, a commission from us dated Nov. 1653, to Col. Mortagh and others to raise horse and foot in Ireland for suppression of the rebels there, a certificate signed by the Marquis of Worcester showing that the said Colonel served under King Charles I. in England in 1643 and 1644 under the Marquis of Worcester, and two of other certificates signed by the Earls of Inchiquin and Clancarty testifying that the said Terlagh and his father submitted to our peace of 1648. They also testify that [Col.] Mortagh O'Brien was one of the last to hold out for us in Ireland and has long served us in foreign parts. They shall be restored to all the lands of which they or their father or tenants were deprived of the late power. Clauses for execution (*see above p.* 179 *note*). *Pp.* 2¾. *S.P. Dom. Signet Office IV. p.* 678-81.

8 March. [Whitehall.] SAME for ROBERT PAYNE.

Directing that he be appointed Auditor of the Excise in Ireland *de bene esse* until the office of auditor be established in that kingdom by Act of Parliament. *P.* ⅔. *Ibid.* 315-6.

9 March. Whitehall. SAME for MATHEW EVERED, merchant, of Waterford.

Sending his case for consideration by the Lords Justices who are to restore him if they find the facts stated in his petition to be true. Clause for reprisals. Pending an absolute settlement, he is to be allowed to return to his abode at Waterford, there to exercise his vocation for the advancement of trade. *P.* ½. *Ibid.* 367.

Same. SAME for JOHN HURLEY, of Balleagine [Ballygeana?], co. Limerick.

The Duke of York, Earl of Donegall, and Lord Baltinglass report and certify his loyalty and that of his brother Maurice. Maurice "trayled a pike" in Flanders, and petitioner's father, John was also loyal, adhering to Inchiquin's cessation in 1647, and Ormond's peace in 1648. Petitioner's brothers, Thomas, Maurice, and James Hurley, lately went abroad and lost their lives in foreign service. He shall be restored to his estate. Clauses for execution. *Pp.* 2½. *Ibid.* 596-8.

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General date 9 March.

DOCUMENTS RELATING TO THE CASE OF SIR HENRY TALBOT.

Petition of Sir Henry Talbot to the King, showing that :—

Petitioner served the Royal cause in England till June, 1646, and then in Ireland till the departure of Ormond. He was imprisoned with his wife from Sept., 1648, until released by exchange by the Marquis of Ormond, when he returned to Ireland [in 1648]. His property was taken from him, and in 1656 he was forced to transplant to Connaught. He prays for restitution of his inheritance and leases in Dublin city and co. *P.* ½. *Underwritten with*—

Order, dated 8 Nov., 1660, referring the petition to the Lord Chancellor of Ireland, *and endd. with*—

Report by Lord Chancellor Eustace on the foregoing petition.

Sir Wm. Parsons, Sir John Burlacie [Borlase], and the Council gave a commission to the petitioner authorising him to apprehend all traitors and traitorous persons in Dublin and to execute them by martial law. In Nov., 1641, the justices also empowered Sir Henry, with the foot company of the co. Dublin to take lodging, fire and accommodation wherever they came to.

In 1646 he raised a troop of horse at his own charge for the King's service and was put upon the cheque roll of the army in Ireland. I have also seen a certificate given him [and here set out] by Sir Edward Herbert, dated 6 May, 1644. I think his petition should be granted. *P.* ¾. *Signed by the* Lord Chancellor. *The whole, pp.* 1½. *Endd. S.P. Ireland* 306, 102.

Further Petition of Same to Same, showing that :—

Petitioner owned some land adjoining the Castle of Dublin and the Earl of Strafford, considering this ground would be valuable to the State for store houses, gardens, &c., contracted with petitioner to give him 1,000 acres in the then intended plantation of Connaught in exchange for it. The outbreak of the rebellion, however, stopped this plantation. Petitioner got a report from the Marquis of Ormond and others in Ireland to the late King recommending that some equivalent should be given him, but the late King was murdered before petitioner could lay that report before him. The usurper's Court of Claims considered his case and gave him 1,000 acres in the barony of Athlone. He prays that these may be confirmed to him. *P.* ¾. *Endd. Ibid.* 108.

The King to the Lords Justices for Sir Henry Talbot.

Directing that he be put in possession of his lands in Dublin city and suburbs, and at Temple oge and Cromlin, with all other his

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estate and interest in the kingdom of Ireland, as if he were particularly named in the King's declaration. Clauses for execution. Dated 9 March, Whitehall. *P.* 1. *S.P. Dom. Signet Office IV.* 308-9.

Further Draft of the King to the Lords Justices for Sir Henry Talbot.

Framed to meet the requests in last but one. The lands in Sir Henry's hands in Connaught, or their equivalent, to be confirmed to him. *P.* ½. *Ibid. p.* 309. Dated 17 Dec., 1660.

This concludes the documents relating to this case.

9 March. Whitehall. Draft of the King to the Lords Justices.

Directing that no confiscated lands be passed to anyone in Ireland until reprisals shall have been granted to all such persons as by the Declaration and instructions are to be reprised. *Two copies, each p.* ½ *and endd. S.P. Ireland* 306, 104 *and* 105.

10 March. Whitehall. The King to the Lords Justices for Sir Richard Lane, Kt. and Bt.

His father, Captain George Lane, served well in Queen Elizabeth's wars in Ireland. He shall be restored to the estate of which he was deprived in 1641 or to its equivalent. *P.* ½. *S.P. Dom. Signet Office IV.* 295-6.

Same. Same for Sir Connell Ferrall, Kt.

He served the Royal cause well in foreign parts, and we are resolved to take care of him. He shall be restored to the estates of John Ferrall, of Tirlikin [Tirlickeen], co. Longford, who was loyal in the time of the rebellion. As the lands in co. Longford where this property is have been allotted to the soldiers who served before 1649, we order you to find reprisals of equal value for those now in possession of them. *P.* 1. *Ibid.* 312-8.

[10 Mar.] Petition to the King of Captain Andrew Tuite, of Monolea [Moneylea], showing that:—

Petitioner served against the rebels at the beginning of the Irish rebellion and commanded a company of fifty men under the authority of the Lords Justices and Council. In 1645 the Marquis of

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Ormond, satisfied of his merits, made him captain of a troop of fifty horse. In 1649 the Marquis gave him a commission to exercise martial law in Westmeath and Longford with other trusts. He was plundered and imprisoned by the enemy and sent to Connaught. He refused to take lands there. He was prevented by the care of children and grandchildren from following the King's fortunes abroad, but sent one of his sons, Captain Edmund Tuite to Spain with a company of foot, which afterwards followed the King to France and Flanders. Capt. Edmund was killed in the attempt on Mardyke.

He prays for restoration to his estate. *P.* ¾. *Endd with*—

Order, dated 10 March, 1660, referring the petition to the Marquis of Ormond, *and endd. with*—

Report of the Marquis of Ormond on the foregoing Petition.

Testifies to the facts stated in the petition. When he marched into Westmeath in 1646, Andrew Tuite helped much to support his men and entertained him and his attendants "very franckly for several days in his own house." Testifies to the other facts stated. The petition should be granted. *Pp.* 1½. *Signed. The whole, pp.* 2. *Endd. S.P. Ireland* 306, 106.

[11 Mar.] Petition to the King of Algernon, Earl of Northumberland, administrator of the goods and chattels of Lucy, Countess of Carlisle, relict of James, Earl of Carlisle, showing that:—

The Earl of Carlisle was by grant, dated 9 June, 1635, possessed of the profits arising from the customs, subsidies and impost of wines in Ireland for fifty years from Michaelmas, 1612, at the rent of £1,400 a year, payable to the Exchequer in Ireland. The Earl conveyed the interest therein to his wife, who enjoyed it till 1637. In that year the late King resumed the grant into his hands and it was agreed that he should pay the Countess £16,000 for it. £8,000 of this was shortly afterwards paid to her, "and afterwards in the year 1639, upon the humble suit of the said Countess"—to prevent her from losing, by the making of such a surrender—"His Majesty was pleased in satisfaction of the £8,000, so paid as aforesaid to accept out of the profits of the said customs yearly the sum of £1,000 for the term unexpired in the said grant over and above the old rent of £1,400, yearly reserved by the said grant, and to wave the surrender" and further upon payment of the other £8,000 unsatisfied of the £16,000, which his Majesty declared should then shortly be paid, but was never satisfied, to accept £1,000 a year out of the said profits. The £1,000 was paid by the Countess till the outbreak of the rebellion, since which she has not received the

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profits and has been unable to pay the rents. The interest therein has now devolved upon petitioner and there is yet some term unexpired in the grant which, with all the advantages thereof, rightly belongs to him.

He prays for leave to receive the profits of the said customs from 24 June last according to the purport of the said grant; and for a grant of these profits for —— years in consideration of the losses which Lady Carlisle incurred and of her contributions, which were of borrowed money, to the Royal cause. *P.* 1 *and p.* 1. *Two copies attached to one another, each endd. with—*

Order, dated 11 March, directing that the petition be granted. The Lord Treasurer of England to direct the Lords Justices of Ireland accordingly. The Lords Justices to certify what was the impost which the Earl of Carlisle had, there having been other impositions or customs on wine since that time. On the receipt of such certificate, the Lord Treasurer to give order to the Attorney-General to prepare a bill for granting the duty to the petitioner for 21 years at a rent of £1,400. *P.* ½ *and p.* ½. *Each endorsement signed by* Secretary Nicholas. *The whole, pp.* 3. *S.P. Ireland* 306, 107 *and* 108.

11 March. Whitehall. The King to the Lords Justices for Col. John Fitzpatrick.

He shall be restored to so much of his lands as are in the possession of Stubbers, who, as a halberdier, assisted in the murder of the late King. Those who hold other parts of Col. Fitzpatrick's estate shall have reprisals out of the other lands in the possession of Stubbers. *P.* 1. *S.P. Dom. Signet Office IV.* 300-301.

Same. Same for the King's Counsel.

Directing that the names of all the King's Counsel learned in the law should be inserted as Commissioners in the Commission of Claims or for settling the several interests in Ireland. The names of the Attorney and Solicitor-General shall be omitted, in order that they may not be hindered from making out the King's interest by being judges of the claims. *P.* ½. *Ibid.* 302.

Before 11 March. Lord Chancellor Eustace to Daniel O'Neile, of the King's Bed Chamber.

I send Sir William Domvill's petition. He is Attorney-General and asks for a grant to him in fee farm of Loughnanstown [Loughlinstown], co. Dublin (440 acres), which he now holds

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of the King by *custodiam*, at a rent of £9 8*s*. 4*d*. Sir William is a deserving man and nobody else has any claim to these lands. He has done well in ordering the convention as will be presented by the Lords Justices and Council in further despatches to the King.

The Lords Justices will by no means give way to Sir Robert Steward's grant of the ale licences. They say it was worth £2,000 a year before 1641, and it is hoped it will be raised this Parliament to £20,000. They offer to recommend Sir Robert for compensation.

P.S. (*Hol.*). Excuse my using another hand "being not well disposed, &c.," &c. *P.* 1. *Signed. Endd. S.P. Ireland* 306, 109.

Before 11 March. The KING to the LORDS JUSTICES for SIR WM. DUMVILE or DUMVILL, Attorney-General.

Directing that he be granted the forfeited land of Loughlingstown [Loughlinstown], co. Dublin, for thirty-one years from next Michaelmas. *P.* ½. *S.P. Dom. Signet Office IV.* 302.

Same. SAME for SAME.

Directing that Sir William be appointed Speaker of the House of Commons in Ireland. *P.* ½. *Ibid.* 303.

11 March. Whitehall. SAME for CAPT. JOHN PURDON.

Captain Purdon is the guardian of Edmund Ley, an infant. The Earls of Inchiquin and Donegall and Lord Baltinglass report and certify the loyalty of John Ley [his father] and that of his [grand] father Maurice Ley, of Ardgowla [Ardgoul], co. Limerick, an aged man. John Ley, according to a report from the Duke of York, served in Flanders in Capt. White's company of foot. Edmund Ley shall be restored according to the Declaration. Clauses for execution (*see above p.* 179 *note*). *Pp.* 2. *Ibid.* 598-600.

Same. SAME for EDWARD BRABAZON, ESQ., son of the EARL OF MEATH.

Directing that he be given the command of the company which is vacant by the death of Captain Wm. Nene. If this company is already disposed of you shall give him the command of any other which may be vacant. *Pp.* 1¼. *Ibid.* 313-4.

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11 March. Whitehall. The KING to the LORDS JUSTICES for ROBERT BROWNE, of Cleykill, or Clekill [Cleghill],[1] co. Cork.

If Browne, who is accused of having killed Charles Kinaston, apothecary, of Cork, is found guilty and sentenced to death, you shall forbear to execute him till you receive our further orders. *P.* ½. *S.P. Dom. Signet Office IV.* 315. [See below March 18, 1661, at *p.* 267.]

General date, 11 March. DOCUMENTS RELATING TO THE ANCIENT INHABITANTS OF THE CITY OF CORK.

The King to the Lord Justices for the Inhabitants of Cork City.

We gave order, on August 12 last, that the ancient inhabitants of Cork should be restored to their property within and without the city, and to their ancient privileges. Since then the present inhabitants have asked for a grant of their present possessions and received a reference by us to the Lords Justices. The ancient natives now pray for confirmation of the order of Aug. 12, and we have received reports from the Marquis of Ormond, Lord Valentia, and Sir George Hamilton testifying to their loyalty. They shall be fully restored according to the tenor of our letters of August last and of the part of the Declaration concerning innocent Papists. The new inhabitants of Cork, who claim lands therein by authority of the late usurped power, shall appear by their agent before you within a month of receiving notice of this order, and shall, if they can, show cause why it should not be carried out in full. While the question is pending, the ancient inhabitants may trade as freely in Cork and elsewhere as they were permitted to do before the rebellion. Any charges imposed by the late power on their estates are to be discharged. We have appointed James Coppinger, Esq., our agent in this matter by whom you shall report to us how you act in consequence of this petition. *Pp.* 3. *S.P. Dom. Signet Office IV.* 316-319; *and copy of same, p.* 1¼. *Endd. S.P. Ireland* 306, 110.

Also draft, apparently of letters of Aug., 12, 1660, referred to above. *Followed by*—

Further Draft of the King to the Lords Justices for the Inhabitants of Cork.

Directing that certain rents of the baronies of Barrymore and Muskerry, designed by the late power to compensate the inhabitants of Cork, Kinsale and Youghal, for loss of their privileges, be sequestered and paid into the hands of Benjamin Crofts, until

[1] I owe this suggestion to Mr. Grattan Flood.

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the King shall further determine concerning the same. *P.* 1. *Attached to the draft mentioned above. The copy and draft in all, pp.* 1¼ *and pp.* 2½. *Endd. S.P. Ireland* 306, 111 *and* 112.
The letter in the Signet Office Book [*see last page*] is *followed by*—

Report by the Marquis of Ormond, Lord Valentia, and Sir Geo. Hamilton, as mentioned in foregoing.

Relates the loyal action of the ancient inhabitants of Cork. When they were put out of houses and inhabitations they adhered to the Royal cause and handed over their sword, mace and cap of maintenance to the Marquis of Ormond. For this action Robert Coppinger, their Mayor, was knighted, and the Marquis promised on the King's behalf to give them back their mace, &c., in a reasonable time. In 1601 the mayor, &c., of Cork did much to repel the Spanish invasion, and they helped to support the Royal armies in 1643 and 1644, lending in all £60,000, and pledging even their plate, household stuff and moveables to support the late King. The new inhabitants hold several lands by letters under the usurper's seal, dated 30 March, 1657, in which he expresses many obligations to them—obligations which were created only by perfidy to your Majesty. Counsel for the present inhabitants even admitted in a recent case before the Lord Chancellor that a legacy to the "Mayor and Commons of Dublin," meant a legacy to the ancient inhabitants whose charters go back for four hundred years. They should be restored unless the present inhabitants can show cause why they should not be. *Details, &c., as in foregoing. Pp.* 4½. Dated 23 Feb., 1661. *S.P. Dom. Signet Office IV.* 319-323.

This concludes the documents relating to this case.

11 March. Whitehall. The KING to the LORDS JUSTICES for CHARLES CHEYNE, ESQ., and others.

The adventures belonging to Cheyne, Thos. Page and John Martin, not exceeding £2,000, shall be satisfied out of the lands of Carrick O'Gonnell [Carrigogunnel], Ballicloghlane [Ballynaclohy], Ballyglaghan [Ballyglekane], Pallas [Pallyce], Currogh [Curragh], and Ballinemoney, lying in the co. Limerick, or, if these lands are defective, in some part of the said half county or the county of Louth. The Commissioners for carrying out the general Declaration are to execute this order. *P.* ⅔. *Ibid.* 433.

DRAFT [of the KING to the LORDS JUSTICES] in the case of ROBERT HARPOOLE.

On August 7th last, we thought fit and with your approval, directed that, for the protection of the legal right and interest of Robert Harpoole, the Attorney-General should enter a *non*

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pros[*equi*] to the information by him lately put into our Court of Exchequer there in our name for the prosecuting the said Robert Harpoole, for and concerning an estate of which, by order of our Court of Claims there, we had understood that he had been put in possession, further directing that as a just provision for the persons formerly concerned in the estate, and from whom it had been by the said decree evicted, the said persons should be further reprised for the same. And the said persons having by their petition, which we send you enclosed, represented to us the great wrong and prejudice it would be to them as the case now stands, by the option they have made of that title, if they should be denied a liberty of prosecuting the same at law, we refer the matter to you. You shall conclude the matter or return it to us for further warrant and direction. *P.* ½. *S.P. Ireland* 306, 113.[1]

12 March. Whitehall. The KING to the LORDS JUSTICES for the WIDOW HARPOOLE or HARTPOOLE.

Capt. Robert and Capt. William Hartpoole were loyal to us, and as the Marquis of Ormond reported, were killed in our service We therefore directed that Martha, widow of Capt. William and her infant son Robert should be restored to the lands of their husband and father in Ireland. These letters shall be speedily executed. *Details.* If waste has been made of their woods since 24 June last, you shall seize any pipestaves, &c., which may have been made of these woods. *P.* 1. *S.P. Dom. Signet Office IV.* 354-5.

[Before 12 March.] PETITION to the KING of HENRY, LORD MOORE, "VISCOUNT DROHEDA," showing that:—

Under the King's predecessors his ancestors were put in command of a troop of horse, were governors of co. Louth, and of the barony of Slane, and Drogheda, and petitioner had a regiment of horse and foot in Ireland. He served loyally. The usurper deprived him of his property and forced him to pay £7,900 as a composition.

He prays for continuance in such of the above commands as the King thinks fit. *P.* ½. *Endd. in* Nicholas' *hand. S.P. Ireland* 306, 114.

12 March. Whitehall. The KING to the LORDS JUSTICES for "VISCOUNT MOORE, of Drogedha."

Directing that his arrears for service up to 5 June, 1649, be paid according to the King's Declarations for settlement of the kingdom. *P.* ½. *S.P. Dom. Signet Office IV.* 389.

(1) Placed with next for convenience.

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12 March. Whitehall. [Secretary Nicholas] to the Lords Justices.

The King is well pleased with the attitude of the late Convention in Dublin and with its passage of the two ordinances for poll-money. This will help the army. About £30,000 is ready to be sent you for disbanding the soldiers; and it is hoped that by the time that is used up the poll-money will have begun to come in. I hope that Lord Massereene and Sir Audley Mervin will be with you before this reaches you. They bring with them instructions which, I think, will embrace all that you asked for. We are all waiting to see what will be the result of the death of the Cardinal[1] "and doubtless England hath lost no friend of that great minister." The pirates of Algiers have lately committed great depredations upon English ships, which trade the Levant seas, and "will be totally daunted if some other party which hath more countenance, doth not countenance them." I am sure you will be able to prevent the meetings of the Irish clergy and people from having any bad effects "and if they were not mad indeed they would content themselves with a quiet life and say over their beads in peace." I hope to send you over some Bills soon. *Pp.* 1½. *Entry. S.P. Ireland* 308, *pp.* 26-7.

13 March. Whitehall. The King to the Lords Justices for William Aldburgh or Aldburghe, Esq.

Directing that he be given command of the first company which falls vacant after those to whom companies have already been promised have been satisfied. *P.* ½. *S.P. Dom. Signet Office IV.* 340-41.

Same. Same for Major John Stuart.

Certain lands in the barony of Kilmacrenan, co. Donegal, which will fall in to the King in May next, and have not yet been granted to anyone, to wit—Rey [Ray] portion, consisting of eight quarters of land possessed by John Kilmarr; Reading Carrig and Monyagh, two proportions possessed by George Kerry and Henry Vaughan; Tirlogh roe Boyle's lands, consisting of 12 quarters possessed by Wm. Dutton. He shall hold these lands, as they are at present held, without paying rent. Clauses for execution. *P.* 1. *Ibid.* 388-9.

Same. Same for Sir Richard Lane.

Directing that the command of any company of foot which is vacant in Ireland be given to him. *P.* ½. *Ibid.* 493.

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[1] Mazarin died 9 March, 1661.

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13 March. Whitehall. The KING to the LORDS JUSTICES for SIR JAMES CUFFE and HENRY WADDINGTON, ESQ.

Cuffe shall have his reprisals in the lands possessed by Mr. Burton in co. Dublin, or, if not there, in other lands in that county; and Waddington shall have his reprisals in the lands of Mr. Bastwick in the co. Dublin, or elsewhere in the same county. Their encumbrances shall be satisfied upon the lands in Kildare held by Dr. Owen which are not confirmed to him by our late Declaration. For his arrears before June 5, 1649, Cuffe shall have the *Swan* Tavern in High Street, Dublin, or some other forfeited dwelling house in the city. Waddington shall have the house in St. Warbett Street [St. Warburgh Street?], Dublin, now or late in the possession of Robert Shapcott, Esq., or such other forfeited houses as he shall desire. *P.* ¾. *S.P. Dom. Signet Office IV.* 614-5.

[14 March. Whitehall.] SAME for COL. WM. LEGG.

It appears from a record in the Office of the Rolls of the Court of Chancery in Ireland that by an indenture made between Queen Elizabeth and Sir Thomas Plunkett, Lord of Louth, she granted him the lordships, &c., of Templetown, Moretown [Moreton?] and Moncklough [Mucklagh], in Cowley [Coole], in the diocese of Armagh, for 40 years, from March 1632 at a rent of £9 6*s.* 8*d.*, and the lordship of Kilsaran, co. Louth, from the feast of St. Michael the Archangel, 1620, at a rent of £53 6*s.* 8*d.*, and the rectory of Monasserboyes [Monasterboyce], Desert [Dysart], and Clongigan [Clonkeehan ?], co. Louth, and the hereditaments of Termon [Termonfeckan], Seaghton [Charlestown], Donlier [Dunleer], and Downan [Dunany] from Michaelmas, 1625, for the like term of 40 years at £Ir.10 13*s.* 8*d.* a year. You shall grant to Col. Legge, who has served us loyally, a 99 years lease of these premises at the respective rents above mentioned. *Pp.* 1½. *Ibid.* 341-2.
And draft of same. *Pp.* 2. *S.P. Ireland* 306,[1] 115.

14 March. Whitehall. DRAFT of the KING to the LORD CHANCELLOR [?] and LORDS JUSTICES for DR. THOMAS POTTER.

We presented Dr. Thomas Potter to the parsonage of Athenry, and hear that he is likely to be prejudiced by a presentation since made to John Murphy, although he went to the expense of suing out a patent. *P.* 1. *Endd. in* Eustace's *hand. Ibid.* 306, 116.

Same. The KING to the LORDS JUSTICES for LORD VISCOUNT TAAFFE, of Corren.

Directing that he be granted the lands in co. Limerick, found by a commission to be in possession of Sir Hardress Waller, of Castletown in Limerick, lately legally attainted for high treason. In the meantime Lord Taaffe to have a custodium of the said lands. *Pp.* 2½. *S.P. Dom. Signet Office IV.* 380-382.

(1) Mr. Flood has greatly helped me with these identifications.

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14 March. Whitehall. The KING to the LORDS JUSTICES for the OFFICERS who served in Ireland before 5 June, 1649.

Our letters for settlement of arrears due to these officers shall not invalidate our other letters in favour of Viscounts Moore of Drogheda and Valentia, Col. Marcus Trevor, Sir Arthur Forbes or other persons to whom our grace and favour has already been extended; nor shall Sir Patrick Wemys be prejudiced in the matter of the houses, gardens, &c., in the city of Dublin, which were in possession of James Path [Bath ?], Thomas Conrom, Edward Allen, Robert Arthur, and Christopher Chamberlain which it was our pleasure should be passed to him, in payment of his arrears up to June, 1649; nor shall Sir George Lane be prejudiced in his claim to the lands of John Cooke and Philip Hore, of Kilsalghan, part of which are in the cities of Dublin and Waterford. Clause for immediate possession to Sir George Lane. *Pp.* 1½. *S.P. Dom. Signet Office IV.* 383-4. *Followed by—*

Petition of the officers, &c., as above, showing that:—

The King granted them lands in "Wickley [Wicklow], Leytrim, Longford and Donegall" and within the mile line in Connaught and in Clare, and in the towns, corporations, &c., belonging to these lands up to the value of 12*s.* 6*d.* per £1 of their arrears.

Several persons under pretence of letters from the King endeavour to get parts of these lands passed to them, which will, if passed, destroy the security given to petitioners.

Although the lands above allotted are the poorest in their provinces, yet the Lords Justices exact the full quit or crown rent *per* acre.

The plan suggested by some that the Lords Justices should have power to give preference to favoured persons is, as they can show, inconvenient.

They pray for relief and that their quit rents may be proportioned to the value of their lands. *Pp.* 1¾. *Ibid.* 384-6.

Same. The KING to the LORDS JUSTICES for SIR WM. DUNGAN.

The family to which he belongs is loyal and he and his father, Sir John, and his brother, Sir Walter, have served our cause well. The directions which we gave for restoring him to his estate have not taken effect. He shall be restored to the lands of which his father or brother was deprived. *P.* ½. *Ibid.* p. 616.

And draft of similar letters mentioning the lands of Castletown, co. Kildare. *Pp.* 1 *and* ½. *Endd. S.P. Ireland* 306, 117.

15 March. Whitehall. SAME for CAPTAIN THOMAS SIMONDS or SYMONDS.

Sending his petition and directing that he receive favourable treatment. *P.* ½. *S.P. Dom. Signet Office IV.* 353-4.

Also draft of similar letter. *P.* ½. *Endd. S.P. Ireland* 306, 118.

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Copy of Petition of Capt. Simonds to the King, showing that:—

Petitioner risked his life at the siege of Drogheda in 1641, as Sir Henry Tichborne certifies. In 1642 he raised men in the North of England for the King by commission from the Marquis of Newcastle, and served King Charles I. till he laid down his arms in Cornwall. He afterwards attended the King during his being in the Scottish army, as is certified by Lord "Sundores."[1] He then advanced horses and arms at his own cost for Ireland, and continued in the King's service till he was forced to disband in co. Clare, in 1650, as the Marquis of Ormond and Lord Inchiquin certifiy.

In 1650 he brought 95 serviceable men from Ireland to Scotland and fought for the King there and at Worcester, as Generals Lesley, Middleton and Lord O'Gibbey [? O'Gilvy] certify.

After Worcester he escaped to the Isle of Man and brought off Sir Philip Musgrave; and afterwards visited the coast of England upon several dangerous commissions. This is testified to by Musgrave and the Countess of Derby. When the enemy landed in the Isle of Man, he was arrested and kept in chains till the Restoration.

He has been wounded in the King's service and, as certificates show, has a wife and small children, and his estate is consumed.

He prays for a captaincy of foot or cornetcy of horse, and for the arrears due for his services in Ireland, for his travelling expenses (he left many of his children in Cornwall 14 years ago) and satisfaction for the horse and arms which he set forth in Ireland. *Pp.* 1¾. *S.P. Dom. Signet Office IV.* 375-6.

15 March. Whitehall. The King to the Lords Justices for Edward Butler, of Moynechore [Moneyhore], co. Wexford.

The Earl of Donegall and Lords Moore and Baltinglass report on his petition, testifying to his loyalty and that of his father, Pierce Butler. Pierce, in 1652, refused to take back his estate from the usurper on condition of acknowledging his authority. Although lands were ordered to him by an ineffectual order, "commonly called an intent," by the usurped power, the referees consider that he should be restored to the estates of which he or his father was dispossessed. Grant accordingly and clauses for execution (*see above p.* 179 *note*). *Pp.* 2. *Ibid.* 480-482.

Same. Same for Edmond Power, of Shangarry [Shanagarry], co. Cork.

The Earl of Donegall and Lord Baltinglass report that Power's father and grandfather, David and Wm. Power, embraced the peace of 1648 and were loyal. Edmond served under Inchiquin in Ireland till the late usurper's power grew prevalent there, and never took lands in Connaught. He shall be restored to the lands of which his father, mother or grandfather was dispossessed. Clauses for execution. *Pp.* 1⅓. *Ibid.* 620-621.

(1) Possibly Col. Saunders, a Scottish officer of the time.

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15 March. Whitehall. DRAFTS of SAME to the LORDS JUSTICES concerning Reprisals.

Insisting on the order already made that no warrants or grants for lands be executed until the persons to be reprised shall have been satisfied. *Two drafts each p.* ¾. *Endd. S.P. Ireland* 306, 119 *and* 120.

16 March. Dublin. The ARCHBISHOP OF ARMAGH to the MARQUIS OF ORMOND.

The King sent a letter for investing the Church with all forfeited tithes and lands which were expired, and this letter has been registered in all the Courts of Record in Ireland to prevent anything being attempted against it. The letter was, however, not ample enough in some parts and over large in others, as not preserving to the Sword and judges their portcorn out of impropriations. All these defects I have had remedied in a letter which I have had drawn up by advice of the King's counsel here. I send it and hope you will get us such a letter with speed. The clergy beseech you likewise to procure them another letter for obtaining certain graces which his Majesty was pleased to grant them by your letter; the remittal of first-fruits *pro hac vice*, the uniting of small benefices to render them subject to first-fruits, some small glebes where there are none, the establishment of a free school in every diocese, and the establishing of the tithing table of Ulster for all Ireland. In exchange I promise the King an equal universal tax of all the ecclesiastical benefices throughout Ireland which shall more benefit the King's coffers by the improvement of the first subsidies of the clergy in this Parliament than all these concessions come to, and will be a great gain for all future times.

Other details. I propose a regal visitation without. . . . . tax cannot be settled, nor the King's patronages be certainly . . . . . other rights of the Crown be restored which by such a Royal . . . . . of the first session may assuredly be effected. God preserve . . . . . Church of Ireland *P.* 1. (*Hol.*). *Imperfect and with signature missing. Endd. Ibid.* 121.

16 March. Whitehall. The KING to the LORDS JUSTICES for LORD DILLON, of "Costello and Gallen."

Lord Dillon has served us well both here and beyond the seas. We are anxious to restore him to the lands of which he was deprived by the late tyranny, and Commissioners from the Irish Convention agree with us herein. You shall forthwith restore him and he shall receive the rents which we had ordered to be sequestered or kept in the tenants' hands pending this settlement. *P.* 1. *S.P. Dom. Signet Office IV.* 355-6.

Same. SAME for the COLLECTION OF MONEY for the ADVENTURERS.

The Committee of Adventurers for Lands in Ireland who are chosen by the whole body of the adventurers have petitioned us to

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confirm them and to allow them to raise money from the whole body for certain purposes to the advantage of the adventurers. As some of the adventurers living in remote parts may refuse to pay this charge, you and the Commissioners appointed for carrying out our Declaration shall therefore abstain from settling any adventurer in his place until it appear that he has paid such charge as the committee require of him, provided that such charge shall not exceed 2*d.* in every 20*s.* adventure. A clause accordingly shall be inserted in the bill to pass in the Irish Parliament for confirmation and settling of adventurers' estates. *Pp.* 2. *S.P. Dom. Signet Office IV.* 409-11.

16 March. Whitehall. The KING to the LORDS JUSTICES for DANIEL READING.

By letters of January 14 last, we constituted Sir James Shaen, Kt., General Registrar to our Commissioners for putting in execution our gracious Declaration for settling the Kingdom of Ireland, with power to appoint persons under him for the execution of that trust. He has appointed Daniel Reading, of Dublin, to be clerk of the Examinations or Examiner of any witnesses who may be produced in any trial before him. Reading shall hold that place so long as there is any use for him there and shall have power to administer an oath to all persons appearing before the Commissioners; and shall have a grant under the Great Seal giving him the post on the most favourable terms. *P.* 1½. *Ibid*, 401-2.

Same. SAME for SIR ROBERT PARKHURST, of Purford in Surrey.

Sir Robert Parkhurst, by a mortgage or judgment acknowledged by Sir Phelim O'Neale, deceased, stands seized of the manor of Kenon [Kenard], *alias* Mounterbourne [Muntarberne], co. Tyrone, and of several lands, &c., thereto belonging. The benefit of the redemption of the estate is in the King's hands and is to be used for paying the arrears of commissioned officers. As several of these officers have assigned their arrears to Parkhurst and as we are anxious to give him satisfaction, we direct that the estates of which he is seized as above shall be devoted first to meeting the arrears which have been or shall be within a year assigned to him. If these amount to the value of the estate, you shall grant it to him by patent. Details given. *Pp.* 3. *Ibid.* 398-401.

About[1] 17 March. SAME for the EARL OF MOUNTRATH.

Directing that he be appointed Governor of Connaught and keeper of the Castle of Athlone, with the customs of Athlone and the Abbeys of St. Peter and St. Benedict or either of them in Roscommon and Westmeath, with all the privileges, &c., held by his

(1) *See* following.

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predecessors in that place, and with the usual fees. No other office, such as a governorship of Galway County or Town shall be permitted to infringe the privileges of this provincial governorship. The Earl shall have power to appoint a deputy or deputies. *Pp.* 3½. *S.P. Dom. Signet Office IV.* 358-61.

Also entry of same. *S.P. Ireland* 308, *p.* 9-11.

17 March. Whitehall. INSTRUCTIONS to the EARL OF MOUNTRATH as PRESIDENT OF CONNAUGHT.

You shall, with the help of two or more of our Council there, decide all civil suits, real or personal, which arise in Connaught and shall punish all offences and misdemeanours in the way in which they might have been punished under Richard or Ulick, Earls of Clanricarde, or Charles, Viscount Ranelagh.

You shall "keep a jail delivery" whenever you think fit and shall then take cognizance of all treasons, felonies and crimes and shall execute all traitors, felons and other delinquents.

You shall cause the oaths of allegiance and supremacy to be administered to the inhabitants of Connaught and shall proceed according to law against those who refuse to take them. *P.* 1. *Ibid.* 346.

Also entry of same. *S.P. Ireland* 308, *p.* 8.

Same. ORDER by the KING constituting the COUNCIL OF CONNAUGHT.

The following are to be its members :—

The Archbishop of Tuam.	Sir Geo. Bingham, Bt.
Viscount Ranelagh.	Sir Oliver St. George, Kt. and Bt.
Viscount Castle Coote.	
The Bishops of Elphin, Killala and Clonfert.	Sir Richard Lane, Bt.
	Arthur and Francis Gore, Esqs.
The Barons of Kingston and Collooney.	Edward Crofton, Esq.
	Robert Parke, Esq.
The Chief Justice of Connaught.	George St. George, Esq.
Sir Robert Hannay, Bart.	Henry Waddington, Esq.

P. ½. *S.P. Dom. Signet Office IV.* 347.

Also entry of same. *S.P. Ireland* 308, *p.* 7.

18 March. The KING to the LORDS JUSTICES for CAPTAIN ALEXANDER DOWNING.

By the report of the Earl of Donegall and others on Downing's petition and that of Una, his wife, we find that Una's father, Thomas Bourke, died seized of certain houses in mortgage in the county and city of Limerick, viz., the castle, town and lands of Castle-urkin [Castle-erkin] and Kilonane [Killonan] with the late dwelling-houses of Jurdaine Roch and Stephen White in Limerick.

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Una enjoyed these lands till dispossessed thereof by the late usurped power. Her father and her husband served the Royal cause faithfully. Una and her husband shall be restored accordingly. Clauses for execution. (*See above p.* 179*n.*) *Pp.* 1¾. *S.P. Dom. Signet Office IV.* 762-3.

18 March. Whitehall. The KING to the LORDS JUSTICES for PATRICK WHITE.

The Earl of Donegall and Lords Moore and Kingston report on his petition in respect of his estate in Waterford, that the petitioner and his father, Alderman Thomas White were loyal to the Royal cause, and that he is a Protestant. Patrick shall therefore be restored to all the lands in Waterford city of which his father or his father's tenants were seized in 1641, and which are in the King's hands. Usual clauses for execution. *Pp.* 1¾. *Ibid.* 407-9.

Same. SAME for ROBERT BROWNE, of Clekill [Cleghill], co. Cork.

Directing that he be pardoned for assaulting Charles Kinaston, "aporthecary," of Cork. The assault was a "fact by him committed upon Charles Kinaston . . . . in heat of blood and on great provocations." He shall be restored to his estate real and personal. *P.* ½. *Ibid. p.* 654.

Same. SAME for MAJOR BAILEY.

Major Bailey is to have the command of the troop of horse which was to have been given to Colonel Carey Dillon. Colonel Dillon is to be lieutenant of the Earl of Meath's troop of horse. This arrangement is approved by the Duke of Albemarle. *P.* ¾. *Ibid. p.* 368.

18 March. [SECRETARY NICHOLAS] to the EARLS OF ORRERY and MOUNTRATH.

The King does not think it necessary to send over any other or permanent representatives from Ireland, as you suggest, now that the Delegates from the Convention have returned. He has those about him who understand Irish affairs. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 28.

Same. [SAME] to the EARL OF MOUNTRATH.

Your brother will acquaint you with affairs here, and will deliver you despatches concerning the Presidentship of Connaught, in which the King has given Lord Dillon satisfaction. The four Acts of Parliament will now be delivered to you with the Commission for calling a Parliament in Ireland which, the King wishes, should begin on 8 May next, "and I doubt not that by the prudent care

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of your lordships, there will be discreet and well affected men chosen for the members of that body." It is hoped that the Lords Justices and Council will contrive to make the Irish comformable to the general interest of the country. *P.* ¾. *Entry. S.P. Ireland* 308, *p.* 29.

18 March. [Secretary Nicholas] to the Lords Justices and Council.

The King and Council approve your vigilance in regard to the design of the Popish party. You shall apprehend Ryley, "the pretended primate and Nuntio," and take other steps to keep the peace. The King approves your answer to the petition of the ministers of Ulster and directs that the bonds taken for a tax of 4*s.* 8*d.* on every ox exported from Ireland be cancelled. The tax shall be 2*s.* a head and no more. The four bills have gone over by ———— with the Commission for Parliament to be called for May 8. £30,000 is being sent. *P.* 1. *Entry. Ibid. p.* 30.

Same. [Same] to Lord Chancellor Eustace.

Similar in substance to foregoing. The Act concerning the oaths is still in suspense. "As concerning the regulating the elections for Parliament with you, I have not heard of any instructions given or thought on in order thereunto, and doubt it may obstruct the freedom of elections if anything in that kind should be obtruded. It's true that in the late time of usurpation there were certain qualifications put on elections for Parliament, but how unjust that was all men are very sensible." The King, on representation of some Lords here and on Sir Philip Mainwaring's surrender, has made Sir James Shaen principal Secretary "of" Ireland. His Majesty is anxious that, in spite of any letters which may be wrung from him by great importunity, nothing should be done to interfere with the settlement of the soldiers and adventurers under the Declaration and Instructions.

P.S.—There is still some stop in Sir James Shaen's being made Secretary "for" Ireland. *P.* 1. *Entry. Ibid. p.* 31.

19 March. Whitehall. The King to the Lords Justices concerning Wardships.

Inquiry is to be made into the King's title to the wardships of Hugh Maguire, the grandchild of Bryan Maguire, of Timpo [Tempo], co. Fermanagh in Ulster, and Owen O'Moony, of Escow [Esker] in the King's Co. If a title be found for the King the wardships are to be granted to Lord Montgomery of the Ards. *P.* ½. *S.P. Dom. Signet Office IV. p.* 397.

Same. Same to Same for Francis Marsh, Clerk, Dean of Connor.

Ordering them to promote him to the Deanery of St. Patrick's in Armagh. *P.* ½. *Ibid.* 434-5.

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19 March. Whitehall. The KING to the LORDS JUSTICES for CAPT. ROBT. FITZGERALD.

Ordering them to give him the post of Comptroller of the musters and cheques in Ireland by a patent. Favourable clauses. *P.* 1. *S.P. Dom. Signet Office IV. p.* 438.

Same. SAME for CAPT. HUGH MACGILL.

Directing that he be granted the office of Comptroller of the Ordnance in Ireland. *P.* ½. *Ibid. p.* 397-8.

COPY of PETITION to the KING of JOHN DOWNING, showing that:—

Petitioner's father lost an estate in Ireland through his loyalty, and raised a regiment with the remainder of his fortune in England. He was killed at the siege of Plymouth, leaving a wife and five children "most of whose estate was personal."

Petitioner and his brothers were loyal to the King "and because your petitioner and his brothers desire to return to their native country, the province of Munster, where they have found divers lands escheated to your Majesty by families extinct in the late wars and divers English there hold lands from your Majesty without any title, and others hold possession by mere orders from the late usurper, and many adventurers twice satisfied as well as soldiers twice paid their arrears, there being divers rents payable to your Majesty which at present lie concealed, your Majesty's composition sent through the whole province being likewise detained."

He prays for a commission to discover defective titles in Munster, leaving the reward thereof to his Majesty's consideration. *P.* ½. *S.P. Ireland* 306, 122.

Same. [SECRETARY NICHOLAS] to the EARL OF ORRERY.

I sent four bills for the Parliament yesterday by Sir Arthur Forbes. The fifth, concerning the oaths, his Majesty in Council resolved to suspend for the present. I also answered the letter I received from you and the Earl of Mountrath saying that the Commission wished to send certain persons here to attend the King. It seems a strange course that the Convention, which had his Majesty's leave to meet, should press to send over representatives here, when they know that the King has divers people about him who very well understand Irish affairs. The King cannot give Lord Ranelagh protection against debt. *P.* 1. *Entry. S.P. Ireland* 308, *p.* 12.

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20 March. The KING to the LORDS JUSTICES for ROGER, EARL OF ORRERY.

The Earl of Orrery purchased the castles, lands, &c., of "Court-MacSheary [Courtmacsherry] and Abbey Manne [Abbeymahon]—in all about 2,600 acres—in co. Cork from Captain Robert Gookin. The late usurper's government had set out these lands to Gookin for his arrears and for a sum of ready money. We wish to show the Earl of Orrery all favour, and it was declared in our Declaration that all the lands which he possessed should be confirmed to him. We accordingly direct you to issue letters patents for confirming him in his estate. If any of these lands have to be restored to old proprietors, he shall be compensated in the barony of Uppercross, co. Dublin. Favourable clauses. *Pp.* 2½. *S.P. Dom. Signet Office IV. p.* 439-41.

Same. SAME for RICHARD HALSALL.

We recently appointed Halsall one of the Commissioners for the Alienations. One Thomas Atkins having claimed the post we referred the matter to Sir Orlando Bridgman then Lord Chief Baron, who upon hearing both sides reported that the said office was clearly in our disposal, Atkins' claim being only to the late usurper's title. The same Atkins nevertheless petitioned us again in the matter and we inadvertently gave him a reference to the Lord Treasurer. We resent such conduct and confirm the grant to Halsall. *P.* ½. *Ibid. p.* 457.

Same. COPY of CERTIFICATE by the MARQUIS OF ORMOND.

Certifies, at the suggestion of Captain Teige Macmahon, that Mathew McMahon and Terlagh McMahon, of Cleanagh, were peaceable and harmless persons, that they cheerfully embraced the peace in 1648. Captain Teige raised a troop of horse in Ormond's regiment at his own cost during the war and fought to the last, retiring afterwards into exile in Flanders, where he again served the King. *P.* ½. *S.P. Ireland* 306, 123.

21 March. Whitehall. The KING to the LORDS JUSTICES for THOMAS BROWNE, of Dublin, Esq.

Directing that he be admitted by letters patents "into the society of our Inn, called the King's Inn in Dublin" and giving him full leave to plead in all courts. This grant shall be valid in spite of the Act of 33 Henry VIII. *Pp.* 1⅓. *S.P. Dom. Signet Office IV. p.* 419-20.

Same. SAME concerning CAPTAIN JOHN BLACKWELL.

Captain Blackwell had an adventure of £2,350 and, owing to a special favour of the usurper, was allowed to take his land where he

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pleased. He took 4,000 acres near Dublin. As it is not equitable that he should be preferred to others, he shall be reduced to an equal with them; and his 4,000 acres shall form part of the 20,000 recently given by us to Sir John Grenvill and Sir Wm. Morice. *P.* 1. *S.P. Dom. Signet Office IV.* 428-9.

21 March. Whitehall. The KING to the LORDS JUSTICES for the EARL OF ORRERY.

Directing that he be given by patent the estates lately set out by the usurped power to Henry Ireton, "Colonel" Peter Stublers [Stubber?] and "Colonel" Henry Ingoldsby—the latter in the co. Clare. Some of these lands are in the liberty city of Limerick, and are in the King's grant, having been improperly disposed of to these persons. Any rent which these now send to the Exchequer shall go to the Earl. If it should turn out that the King has no title to these lands the Earl shall be granted lands of equal value out of those hitherto in the possession of the murderers of the late King or the "wicked guard of halberdiers," who were present at his murder, and not already given to adventurers or soldiers. If there are not enough lands to satisfy all those who have claims in Ireland, the Earl shall be only allowed to purchase the same, or so much thereof as he shall desire, by placing thereon just adventurers [adventures], reprizes and encumbrances. *Pp.* 3. *Ibid.* 446-449.

Same. SAME for VISCOUNT VALENTIA.

Recites his services and directs that he shall be given by grant the lands, &c., lately in possession of Edmund Ludlow, styled Lieut.-General Ludlow, and John Jones, styled Colonel Jones. If it should turn out that we have no title to these lands, . . . &c., as in the grant to the Earl of Orrery above. *Pp.* 2½. *Ibid.* 452-4.

Also draft of same. *Pp.* 1½. *Endd, in* Nicholas' *hand. S.P. Ireland* 306, 124.

Same. SAME for PATRICK BETAGH, of Moynaltie.

The Earl of Donegall and Viscount Moore report that Patrick and his father Edward (now deceased) lived peacefully during the late commotions in Ireland and protected divers English against the "rude multitude" that were in arms at the beginning of the rebellion. They accepted the peace in 1648, were dispossessed of their estates by the late usurper, and never took lands in Connaught. He shall be restored to the lands, &c., of which he or his father was dispossessed. Clauses for execution. (*See above p.* 179*n.*) *P.* ⅔. *Ibid. V., p.* 16.

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21 March. The KING to the LORDS JUSTICES for EDWARD HUSSEY.

The Earl of Meath, Lord Moore and the Marquis of Ormond report and certify his loyalty. He was appointed Receiver-General for the contributions of Meath, where he lives, and he and his son being faithful, he was ordered to raise and command a troop of horse for our service. The late usurper deprived him of all his estate; but he took no lands in Connaught. He shall be restored. Clauses for execution. (*See above p.* 179 *note.*) *Pp.* 1½. *S.P. Dom. Signet Office IV.* 560-61.

Same. [SECRETARY NICHOLAS] to the LORDS JUSTICES and COUNCIL.

Acknowledges their letters. The Bills [for the Irish Parliament] are not yet ready to go over and those regarding the Recognition and the Oath are being considered. They remain as they were, but that concerning the Court of Justice has been modified. Writs are issuing for the calling of a Parliament on May 8. The Danish ambassador has made his treaty and gone away. Those with the Dutch and Spain go on slowly. To-day Maurice of Nassau and the Chancellor Weyman made their entries as ambassadors from the Elector of Brandenburg, and ambassadors from the Emperor and Duke of Tuscany are expected next week. *P.* 1. *Entry. S.P. Ireland* 308, *p.* 24.

22 March. The KING to the LORDS JUSTICES.

Ordering that a grant be made to Edward Proger, Esq., who has long served the King as Groom of the Bedchamber, of the office of Chief Receiver and Collector of the Excise of Leinster for his life. His grant shall contain the most favourable clauses. *Pp.* 1½. *S.P. Dom. Signet Office IV. p.* 481-2.

Same. SAME for SYMON BARNEWALL, of Kilbrue, Esq.

The Marquis of Ormond and Lords Moore and Kingston report favourably on his loyalty and on that of his father Patrick. Robert Lill and other Protestants certify that, although the Barnewalls were deprived of their estates by the usurper they did not take any lands in Connaught or Clare, but waited for our Restoration. He shall be restored to all the lands of which he or his father was deprived by the late usurper. Clauses for execution. *Pp.* 2. *Ibid. p.* 463-5.

Same. COPY of the LORDS JUSTICES and COUNCIL to the EARL OF MEATH.

We have received the King's letters of Feb. 1, directing a grant to you of Loughlinstown, co. Dublin, at the rent of 10*s.* per annum, and reciting, as motive for the same a grant of the late King to you

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of 17 April, 1647, of the same lands at 10*l.* a year. The grant recited was, we find, not a grant under the Great Seal, but only a *custodium* granted under the Exchequer Seal during the late King's pleasure. This grant has long since gone out of force, and we think his Majesty was ignorant of that fact when he ordered the new grant to be made to you. If, under these circumstances, we now made you this grant it would be void and we should fail in the duty we owe to the King. The rent suggested to be reserved (10*s.* on 400 acres in the County Dublin) is very small, and we are specially charged to see to the improvement of the King's revenues.

It is usual in such cases to inform the King directly of the facts of which he is ignorant, but in this case we have, from tenderness for your lordship, made representation to your lordship direct. *P.* 1⅔, *with signatures* (*copies*) *of* Lord Chancellor Eustace, the Earls of Orrery and Mountrath, the Archbishops of Armagh and Dublin, the Earl of Kildare, Lord Montgomery, Sir Henry Tichborne, Sir James Ware, Sir Robt. Meredith, and Sir Theophilus Jones. *S.P. Ireland* 306, 125.

23 March. Whitehall. The King to the Lords Justices for Sir Paul Davis.

Recites his services to James I. and Charles I. He shall have the towns and lands of "Westpelstown," Barnonstown, Muraghe and Newtown [Westpalstown, Brenanstown, Murragh], the half of the town and lands [of] Lurtown [Laurestown ?], in the co. Dublin, whereof John Finglas, of "Westpastown," attainted of high treason, or any other persons for his use, was seized. He shall pay such a rent as is in accordance with the Act of 16 Car. I, "for the speedy and effectual reducing" of the Irish rebels, unless the rent reserved to the Crown before 23 Oct., 1641, was greater than such rent. If it was so, the rent shall be as it was on 23 Oct., 1641. Beneficial *non obstantes* shall be inserted in the grant. *Pp.* 2½. *S.P. Dom. Signet Office IV., p.* 403-5.

Same. Same to Same for Robert Astwood, of Dublin.

Sending Astwood's petition and ordering that reparation be made to him for the destruction of his property. *P.* ¾. *Followed by*—

Copy of Petition of Robert Astwood, citizen of Dublin, to the King, showing that:—

Petitioner was possessed of a very valuable estate and of two good brick houses and a malt house without the line in the suburbs of Dublin. In 1646, when Preston and O'Neale approached to besiege the city, these buildings were pulled down by Lord Lambert at the orders of the Marquis of Ormond. They were the chief

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support of petitioner (who is 83 years old) and of his wife and children. He served against the rebels from 1641 to 1649. He prays for reparation. *In all, pp.* 1¾. *S.P. Dom. Signet Office IV.* 405-7.

23 March. Whitehall. The KING to the LORDS JUSTICES for the ARCHBISHOPRIC OF DUBLIN.

As the revenue of this Archbishopric is small and the "seats" belonging to it are decayed, we direct, at request of Archbishop James Margetson, that there shall be vested in the Archbishop and his successors the lands of all such persons attainted of treason who formerly held of the Archbishopric or of the see of Glendalough, united to it, to be held of us in frank-almoign. All who hold under the Archbishopric shall appear before you and produce the grants or "laws" by which they make title to their estates. You shall also grant to the Archbishop lands in co. Dublin and appropriate rectories and vicarages there or elsewhere to the value of £1,000 a year net. The Archbishop shall not, however, have more than £2,000 a year, and, if after two years his revenue exceed that sum the surplussage shall be reconveyed to us towards reparation of the "seats" belonging to the "said Bishopric." Dr. Margetson shall also have a grant of the arrears of rent due from the tenants of these lands or in the hands of any trustees who may have "assumed the name of Parliament." Warrants shall issue at once for carrying out these letters. *Pp.* 2½. *Ibid. p.* 435-435*b*.

General date 23 March. DOCUMENTS RELATING TO THE CASE OF SIR EDWARD FITZHARRIS, of Cloghinotroy, in the co. Limerick.

Petition of Fitzharris to the King, showing that:—

Petitioner was a ward to the late King for some years after the outbreak of the rebellion. He did his best when he came of age to incline the Irish to submit to the Royal authority. He adhered to the peace of 1648. When the usurper's power prevailed in Ireland he came to England intending to go abroad in the King's service, but he remained in England at the direction of the Marquis of Ormond. He sent intelligence, &c. [*see report by Ormond below*], and joined with others of his countrymen in Sir George Booth's design. Petitioner, besides his own estate is entitled to jointure of his wife by her first husband, Redmond Condon, and to the estate of his late father-in-law, Thomas Fitzgerald, of Glin. His wife was Fitzgerald's only daughter and heir, and he died, being an innocent person, about two years ago. Petitioner and his wife were dispossessed by the usurper's authority, but took no land in Connaught. He prays for restoration. *Two copies; each p.* ¾. *Endd. S.P. Ireland* 306, 126.

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Certificates by the Marquis of Ormond.

Sir Edward Fitzharris, of Cloghinotroy, Bart., was very young and a ward to the King in 1641, and had no hand in the plunder and outrages committed on the Protestants in that year, but protected several of them. He afterwards adhered to the peace and the Royal cause, and sent good intelligence out of England into Flanders. He engaged in Sir George Booth's design thereby to serve the King. *P.* ¾. Dated 28 Jan. *Signed*. *S.P. Ireland* 306, 128.

And another copy of same dated 31 Jan. *Signed*. *Ibid.* 129.

Certificate by Lord Inchiquin.

Thomas Fitzgerald, of Glin, accepted the peace of 1648, and helped divers English who suffered in the Irish wars, besides paying towards the maintenance of the Royal army. *P.* 1. *Signed*. Dated 11 Mar., 1661. *Ibid.* 130.

Certificate of Capt. John Purdon.

Purdon is a neighbour of Fitzgerald and was captain in the Royalist forces under Inchiquin. He knows that Thomas Fitzgerald was loyal. He was never in arms amongst the Irish, but "being an unweldye man," &c. [*see p.* 227 *above*]. *P.* ½. *Signed by* Purdon, and taken before Sir Nath. Hobart, Master of Chancery at Westminster, 15 March, 1661. *Ibid.* 131.

The King to the Lord Justices for Sir Edward Fitzharris.

The Marquis of Ormond reports [see above at date, 28 Jan., 1661. We are also satisfied of the loyalty of Thomas Fitzgerald, of Glin [or Glyn], co. Limerick, whose lands descend to Fitzharris through Olive his wife, daughter of the said Fitzgerald. Sir Edward shall be restored to any of the lands of which Fitzgerald or his tenants were dispossessed with rents since 24 June last. Clauses for execution [*see above p.* 179 *note*]. *Pp.* 2. Dated 23 March, Whitehall. *S.P. Dom. Signet Office IV.* 435*b*-437.

This concludes the documents relating to this case.

Before 23 March — Copy of Petition to the King of James Wall, Esq., of Cullnemucky [Coolnamuck], co. Waterford, showing that:—

In spite of the King's order, made upon a report of the Marquis of Ormond testifying to his loyalty, he has not been able to get restoration to his estate. It is in the hands of persons who never supported the Royal cause. He prays for restoration. *P.* ½. *S.P. Ireland* 306, 132.

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23 March. The KING to the LORDS JUSTICES for JAMES WALL, of Culnemucky [Coolnamuck], co. Waterford.

Wall has not yet obtained the benefit of a warrant for restoration which we granted him on the recommendation of the Marquis of Ormond, as an innocent person or Papist. In recognition of the services done to our cause in Flanders by Capt. Garrett Wall, son of the above said James, James Wall shall be restored to all his lands, &c., in Tipperary, Waterford, and Carrick MacGriffin or elsewhere, whereof he was dispossessed by the late usurped power. *Pp.* 1⅛. *S.P. Dom. Signet Office IV.* 487-8.

Same. SAME for JOHN LONG, of Mount Long, co. Cork.

The Earl of Donegall and Lords Moore and Baltinglass report satisfying us of Long's loyalty. His father adhered to the peace of 1648, and was unjustly put to death by a sentence of the usurper's Court of Justice. Petitioner took no land in Connaught or Clare and is thought to be a restorable person. He shall be restored to all the lands of which he or his father was dispossessed by the late power. Clauses for execution. *P.* 1. *Ibid.* 497-8.

General date DOCUMENTS RELATING TO THE CASE OF JOHN PORTER.

23 March. Petition of Porter to the King, showing that—

Petitioner was a minor and seised of a small estate in Ireland. He was deprived of it by the late usurper and got no compensation. He got a small "intent" or charitable grant of 600 waste acres, but this was disallowed by the agents of the usurped power in Dublin as not warranted within the said pretended Act of Settlement. As soon as he had saved enough he went abroad "to breathe and feed of the air of foreign countries, in imitation of your Majesty, rather than live under a power which his then more grown judgment gave him full light to be most adverse to your Majesty."

He prays for restoration. *P.* ½. *Underwritten with*—

Order, dated 12 Dec., 1660, referring the petition to the Lord Chancellor of Ireland, *and endd. with*—

Report of the Lord Chancellor on the foregoing petition.

Sets out two certificates, dated 13 Dec., 1660, *and signed by* John Aylward, Thos. Gough and Richard Butler, testifying to the facts stated above and to the loyalty of petitioner's father, who was a peaceful lawyer and adhered to the peace of 1648. The petitioner should be restored to his lands. Suggests clause for reprisals *P.* ⅔. *Signed. In all, pp.* 1⅓. *Endd. S.P. Ireland* 306, 133.

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The King to the Lords Justices for John Porter, of Waterford, gentleman.

The Lord Chancellor reported satisfying us of the loyalty of petitioner's father, Thomas. Petitioner was a minor when his father died, and took from the usurper only a small sum in charity. He shall be restored to his father's lands according to our letter of December last. Clauses for execution [*see above p.* 179 *note*]. *P.* 1. Dated 23 March, 1661. *S.P. Dom. Signet Office IV.* 502-3.
Also draft of the same. *P.* 1. *Endd. S.P. Ireland* 306, 134.

This concludes the documents relating to this case.

23 March. Same for Dr. William Petty.

Certain lands in the co. Kerry were set out to Petty, amounting in all to 3,559 acres odd, of which 898 acres odd lie within the parish of Kilmare [Kenmare] and the remainder in the parish of Teycista, [Tuocist], both being in the barony of Gleneroghty [Glenarought], co. Cork. They were set out in payment of £889 odd soldiers, arrears by an order of assignment, dated 24 March, 1657 [1658], signed and sealed by Vincent Gookin and Myles Skinner; and possessed by Petty himself on the 7th of March, 1659 [1660]. Our pleasure is that "in respect of the early endeavours of the said Doctor for our restoration," he be given in addition to these acres all such land as lies within any of the townlands, ploughlands or other denominations wherein any part of the 3,559 acres lies, and is not let at 5*d.* or more a year this year, as woods, bogs, &c., are given in by the Act of Parliament to adventurers. These lands shall be settled upon him as other lands are settled on the soldiers for their arrears and shall be surveyed for that purpose by the Surveyor-General. *P.* ¾. *S.P. Dom. Signet Office IV.* 484-5.

Before 25 March. Draft of the Lord Chancellor [?] and Council for the Earl of Mountrath.

"Right trusty, &c., Councillor and right trusty, &c., cousins." We are resolved to reward the Earl of Mountrath for his signal services to the Royal cause. The lands set out for payment of the arrears of the late usurper Oliver, of John Moore, generally called Col. John Moore, of Robert Phayre, commonly called Col. Robert Phayre (a halberdier, who was present at our father's murder) and of John, commonly called Lieut. Col. Duckinfield, have not been confirmed to them but are forfeited and are in our hands. You shall put the Earl of Mountrath into possession of all these lands. If we had no title to these lands you shall give him lands of equal value taken from those who murdered King Charles I. and not allowed to the army for pay, or otherwise disposed of. All other grants of the estates of Phayre and the others are hereby revoked. *In all, pp.* 2¼. *Endd. S.P. Ireland* 306, 135.

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Before 26 March. The KING to the LORDS JUSTICES for SIR JAMES SHAEN.

Approving the appointment of Thomas Kennedy as under Register of the writings, books, &c., relating to the Commissioners, for executing the King's Declaration for the settlement of Ireland, and directing that Sir James, who has been appointed General Register, Chief Clerk and Keeper of the Records, &c., to the said Commissioners shall have delivered to him "all and singular the books, writings and records, lately belonging unto the respective Courts of Claims at Dublin, Ashlone [Athlone], and Moyallo [Mallow], and to the late Commissioners appointed for the setting out of lands unto adventurers [and] soldiers, transplanted persons or others, and all books of discriminations and the books or papers of or concerning any decree on behalf of his Majesty against any of the Popish religion in our said Kingdom for treason or any other capital offences and also all books . . . . . for the stating of arrears of pay, adventures, or other public debts, and also all other books, certificates, papers and writings you can come by or may command, which you shall judge necessary or useful for the execution of the said trust." *Pp.* 2. *S.P. Dom. Signet Office IV.* 392-4.

26 March. SAME for SIR WM. USSHER.

Directing that he be appointed one of the Commissioners of the Excise, customs and new imposts in Ireland. *P.* ½. *Ibid.* 449-450.

26 March. Dublin. The LORDS JUSTICES to SECRETARY NICHOLAS.

We have received from the King the petition lately presented to him by Lieut. Col. William Hamilton on behalf of the officers who served in Ireland before 5 June, 1649. The King directed that these officers should not be satisfied save in accordance with the Declaration and Instructions, but that we shall execute his letters on behalf of Lords Moore and Valentia, Col. Marcus Trevor, Sir Arthur Forbes, Sir Patrick Wemyss, and Sir George Lane. The Lord Chancellor's grant is not mentioned in this list, and we remind the King of the fact as we are sure that the omission is an oversight. We all know how great services the Lord Chancellor has performed. *P.* ⅔. *P.* ⅔. *Add. Endd. in* Nicholas' *hand. S.P. Ireland* 306, 136.

26 March. Whitehall. The KING to the LORDS JUSTICES for ROBERT BOYLE.

In November last we granted to Boyle the wardship of Jean Inchingam [Itchingham], of Dunbroddy [Dunbrody], co. Wexford. He petitions, showing that after that grant had passed the great seal of Ireland, the ward was stolen away and married to Sir Arthur Chichester, with the privity of both their mothers. You shall prosecute these persons according to the severity of the law. *P.* ¾. *S.P. Dom. Signet Office IV.* 455.

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26 March. Whitehall. The KING to the LORDS JUSTICES concerning LORD RANELAGH.

Directing them to command Lord Ranelagh, who has disregarded previous summonses, to at once attend at court. *P.* ½. *S.P. Dom. Signet Office IV.* 456.

Same. SAME for JOHN WISHART.

By letters patents dated 28 Feb., 1611, James I., granted to Cormac Shane O'Neale, the lands called the manor of Clabby and 25 "tates" and parcels of land in the barony of Coole and Tircanada [Tirkennedy], co. Fermanagh. Charles I. by letters under the Royal Signet dated 10 July, 1632 [1], directed that, as MacShane had died without heirs, these lands should, upon finding of title in the Crown to them by escheat or otherwise, be granted to John Conly [or Conley], of Dublin, merchant, and his heirs or nominees. Conly assigned to one Smith, and Smith to John Wishart, who is a gentleman of the Privy Chamber. You shall issue commissions to find our title to the lands, and upon finding the same, shall seize them into our hands and grant them to Wishart, &c. Favourable clauses. *Pp.* 2. *Ibid.* 461-3.

27 March. SAME for CAPTAIN JOHN COGHLAN.

Capt. Coghlan has served the Royal cause well both in England and beyond seas. You shall grant him one-fourth part of such sum as he shall within three years of 1 May next "out" [*i.e.* find out?] to have been expended out of the Treasury by the late power for transporting our Irish subjects to the service of the King of Spain, or elsewhere abroad, in respect of which advances persons entered into bonds to "us" [*sic*] for the same or the provenue thereof; also one-fourth of such sum as he shall, within the said time, discover to have been or remain in the hands of any collectors, commissioners of applotment or assessment, &c., in any of the baronies of Connaught or Ulster. You shall cause the Barons and officers of the Court of Exchequer to put in suit such sums as he may desire, and to give him his share thereof so soon as they are recovered. Our learned counsel shall confirm these rights to him [by a grant] giving him power to remit or release what seems good to him. *Pp.* 2⅓. *Ibid.* 457-460.

27 March. Whitehall. SIGN MANUAL WARRANT to the LORDS JUSTICES of IRELAND.

Directing that a sum be paid to Lady Rives for what was due to the late Sir Wm. Rives, her husband, as Speaker of the House of Commons in Ireland. *P.* ½. *Countersigned by* Nicholas; *and copy p.* ½. *Both endd. S.P. Ireland* 306, 137 *and* 138.

(1) *See* Calendar of *S.P. Ireland* 1625-32, *p.* 670.

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28 March. Whitehall. The KING to the LORDS JUSTICES for JAMES RUST.

Directing that for his "learning, prudence and integrity," he be promoted to the Deanery of St. Saviour's Connor, when it is vacated by Marsh, who is newly appointed Dean of St. Patrick's. *P.* ½. *S.P. Dom. Signet Office IV.* 456.

Same. SAME for DR. WILLIAM PETTY.

Directing that he have the benefit of the Royal instructions of 19 February last, concerning the Irish adventurers which allows them to buy with their deficient adventures any lands which they may have received over and above what is due on such of their adventures as have been satisfied, and which allows those who hold unconfirmed lands to keep them in payment of their adventures. No lands assigned to or possessed by him shall be offered to others till he shall have refused or delayed to take them upon the terms aforesaid. For any lands which he may hold for other just equitable considerations than what are allowed in the Declaration he shall receive just compensation. This letter is written on account of "the favour and good opinion we have upon several accounts and from our own personal knowledge conceived of Doctor William Petty." *P.* 1. *Ibid.* 460-61.

Same. SAME for SIR THOS. ARMSTRONG.

Directing that he be made Quarter-Master General of the troop of horse in Ireland. *P.* ½. *Ibid.* 490.

Same. SAME for CAPT. ROBERT LAWSON, of Londonderry.

Directing that in all his concernments for which there is any provision in the King's Declaration as much favour be shown him as may be consistent with equity. All debts due by the Crown to him for money expended at the beginning of the rebellion in Ireland for arms and ammunition for defence of Ulster shall be paid by assigning to him lands now or lately in the hands of the assigns of Michael Casteele in co. Kildare, after the reprisals of Col. Markham and Mr. Andrews shall have been satisfied thereupon. Lawson shall be preferred in this matter before other claimants. His arrears for service before 5 June, 1649, shall be satisfied out of the house called the *London* tavern in Dublin, or in failure thereof, out of such other similar house as he may choose. Favourable clauses. *Pp* 1¾. *Ibid.* 499-500.

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About 28 March. COPY of PETITION of CAPT. DENNIS GORMAN to the KING, showing that:—

Petitioner was a minor under age at the beginning of the rebellion. He embraced the peace made by the Lord (now Duke) of Ormond in 1648. He assisted with men and arms till the usurper conquered the country, and then collected 100 able men of his own dependents to serve the King abroad. Although his loyalty had cost him his estate, he paid £200 as a fine or bribe to Lieut.-Col. Napper, the governor of the port from which he was to take the men abroad. He afterwards fought in France. When the King went to Flanders he followed him there, leaving France without a pass, which was denied him, with several companies; served with one of them, which he raised at his own cost, in the Duke of York's regiment in Flanders until he lost most of his men, and was himself captured at the Battle of Dunkirk. He was "reformed" afterwards at Overmere and remained in that regiment as "reformade"[1] at a small allowance. He has a wife and four children and is very poor.

He prays for relief from the customs or other revenue of Munster or from some other source. *P.* ½. *Followed by*—

Certificate of Viscount Muskerry, corroborating the information given in foregoing. *P.* ½. *Signed.* Dated 28 March, 1661. *In all, pp.* 1⅛. *S.P. Ireland* 306, 139.

Before 29 March. COPY of PETITION of SIR THOMAS ARMSTRONG to the KING, showing that:—

He was given a standing troop of horse in Ireland in 1641, and was made Quartermaster-General of the horse there by patent, and had a pension of £200 a year. He never enjoyed these rights and prays that they may be confirmed to him. *P.* ½. *Ibid.* 140.

29 March. Whitehall. The KING to the LORDS JUSTICES for ADAM CRUMP.

It appears from a report of the Earl of Donegall and Lord Moore on Crump's petition that Crump's father, Adam, was seized of the landsof Drimdaly and Marshalstown and died in 1638, when his son, the petitioner, was only 18 months old. The son was loyal to the Royal cause; yet was dispossessed and his estate given by the usurper to Col. Daniel Axtell. Crump never took lands in Connaught. He shall be restored to his estate as an innocent Papist. Clauses for execution (*see above p.* 179 *note*). *Pp.* 1⅛. *S.P. Dom. Signet Office IV.* 465-6.

Same. SAME for NICHOLAS PLUNKETT.

It appears from a report of the Marquis of Ormond on Plunkett's petition, that Sir Henry Tichborne had the wardship of

[1] *Reformado*, a disbanded soldier, according to Halliwell.

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his body and lands about the year 1641. Sir Henry, who enjoys the most part of petitioner's lands, says that he took a lease thereof from the late usurped powers, and conveyed the estate to donees in trust for the marriage of his son, and therefore could not enter into a compromise for its surrender, but desired it might be left to the law. Petitioner wished to end the matter in an amicable way and without the expense of a law suit. We cannot be unmindful of the services done by Sir Henry to King Charles I. and do not wish to "abridge him" of any of the rights which he justly possesses; yet we do not wish to sanction a lease from the late usurper, especially in the case of a lease of a ward's estate to his guardian, seeing that a guardian should protect that estate from all wrong. Petitioner has suffered much in our service and he and his children are poor. It is, moreover, consonant to law and reason that after his estate has been in the hands of a guardian for nineteen years we should be free to restore it to him without his being put to the expense of a prosecution. Moreover the ward have might sued out his livery several years ago, but for being prevented by the "iniquity of the late usurped Government." We therefore direct that the Master of the Wards, calling to his assistance the Attorney of this Court and such other judges as he thinks fit, shall hear the parties and permit the petitioner to sue out his livery. If the Master does not think that Sir Henry Tichborne has already received fair treatment he shall direct the petitioner to enter—and petitioner shall enter—into bonds for such sum as the Master thinks fair to be paid to Sir Henry. It appears by the report that Sir Henry was content that petitioner should enter into the lands of Rath, Hollywood and "Kilmacmonon," part of his estate, which were taken out of Sir Henry's hands by the late usurped Government, and given to Col. Hewson, one of the murderers of our Royal father. This shall be done. Clauses for execution (*see above p.* 179 *note*). *Pp.* 2. *S.P. Dom. Signet Office IV.* 488-490.

29 March. Whitehall. The KING to the LORDS JUSTICES for SIR GEORGE PRESTON.

The pike and salmon fishing, eel weirs and mills on the Shannon, the fishing in the sea on the coast of Connaught and "over against the half county of Antrim" are in our hands owing to the attainder or rebellion of the proprietors. These fishings, &c., are now occupied by such person or persons as the lands near thereto have been assigned to—and that without any right. You shall grant them to Sir George Preston by a patent which shall be carefully drafted, at a rent of £5 above the old rent reserved to the Crown. *Pp.* 1¾. *Ibid.* 509-10.

Same. SAME for LADY RIVES.

Recommending her petition to them. She is widow of Sir Wm. Rives, one of the Judges of the King's Bench in Ireland. She shall be allowed what was owing to her late husband as Speaker of the House of Peers there, allowing him what is usual for the Speaker of the House of Commons there. *P.* ¾. *Ibid.* 514-5.

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About 29 March. PETITION of DAME DOROTHY RIVES to the KING.

Relating her husband's services as Attorney-General for Ireland under Charles I., the increase of the revenue due to his efforts, his promotion to a judgeship in the King's Bench, and to the Speakership of the Peers of Ireland in the Parliament of 1641. His estate in the country being laid waste during the war, he parted with his inheritance in Dublin for the King's service. He never got satisfaction for his acting as Speaker for fifteen months in the absence of the Chancellor. There is no payment for the Speaker of the Peers, the Lord Chancellor "formerly still" executing that place; yet Sir William received not the perquisites and profits of the Chancellor's place; and Sir Nathaniel Cateline, Speaker of the Commons in Ireland, received as allowance for the same for a small time, £1,600. She prays for relief accordingly and for support during her continuance here [in London]. *P.* 1. *S.P. Dom. Signet Office IV.* 516-7.

Same. The KING to the LORDS JUSTICES for COL. GEORGE WALTERS.

Col. Walters has settled his own and other English families at Bantry and intends an English settlement there. You shall give him a grant of the governorship of the fort of Bantry, erected there by the late usurper and in which there is a garrison. He shall be paid 5*s.* a day or less, as you think right. Should you think it well to withdraw that garrison, you shall put him in possession of the fort for his own safety and for that of the other English who shall plant there. *P.* 1. *Ibid.* 544.

Same. SAME for PATRICK SARSFIELD, of Lucan, co. Dublin.

The Marquis of Ormond, Earl of Donegall, and Viscount Loftus, report certifying that Patrick and his uncle William, whose heir he is, were loyal to the Royal cause during the late troubles. Patrick shall be restored to the towns and villages of Lucan, Tubby and Nurrey [Nurney], and to any other manors, villages, &c., of which he, his father Peter, or his uncle, was dispossessed in the county of Kildare and Dublin, town of Kildare, city of Dublin, or county of the city of Dublin. Full clauses for execution. *Pp.* 2½. *Ibid.* 590-98.

29 March. Lesbu . . en [Lisburn]. JOHN HARTNALL to LORD CONWAY AND KILLULTA.

"Honr [honoured] lord: Mathew Pallan desired me to give account to your lordship in what condition *Srowd* [? *Snowd* for *Snow-head*] and the galding are in, for he made a full trial betwixt them upon Wednesday, being the 23rd of this month; it being a time when both the horses were in good condition for a trial to the best of his knowledge, and nobody was there but Captain Welkeson [*sic*] and

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himself and Richard and they [?] rode equal weights, Mathew upon the gelding and Rich upon *Snowed* [*Snow-head*]." They "ran it at a very great rate, for Mathew ran the galding at all [*i.e.*, at top speed], which was not able to touch the horse nor face him first or last and the horse ran at great ease as Mathew says. Captain Walkason [*sic*] says it was the best heat he saw since he came for Ireland, for he had a minute glass and he says they were not above eight minutes in running the course, which Mathew says he doth not fear any horse in Ireland or as shall come, if the horse stand sound." The horse comes on well. Sir George has told Mathew you wish the galding to run at Belfast. We have prepared him for the course there and hope he will bring the plate away. If he wins there I believe the barb will not run at your lordship's course, and then we think that no other horse will come there to run.

[*Other details about horse-racing*]. The deer from Castle Raban [Castle Reban] are doing well and we have had seasonable weather. Building is going on at the little stable and the masons will next work at the bowling green wall. We await the model of the big stable. *P.* 1½. (*Hol.*). *Endd.*; *with bad writing and very bad spelling.* *S.P. Ireland* 306, 141.

30 March. The KING to the LORDS JUSTICES for ROBERT BOYLE.

Ordering that a grant be made to him of the benefit of all the mortgages, encumbrances, and other claims upon the estate of Jean Itchingham, heir of John Itchingham, late of Dunbrody, co. Wexford, which claims are forfeited to the King. Boyle is already guardian of Jean Itchingham. *P.* ½. *S.P. Dom. Signet Office IV.* 493-4.

30 March. Whitehall. SAME for LORD KINGSTON.

Directing that the Castle of Artane, co. Dublin, with 1,500 acres about it, be set out to him in lieu of any reprizes, encumbrances, &c., in respect of which he claims lands, subject to the rules of the Declaration. They shall make him a grant by patent. If it should turn out that the King has no title to the lands of Artane, he shall be compensated by lands of a similar value in the barony of Imokilly, co. Cork. Favourable interpretation clause. *Pp.* 1½. *Ibid.* 541-2.

Same. SAME for LADY WILLOUGHBY.

Lady Willoughby's late husband, Sir Francis, was unjustly treated by the usurpers, who expelled him from his commands, and, for all his arrears (over £2,000), gave him lands in Clare worth only £62 a year. His warrants for full pay shall be restored to her, *less* the £2,000, according to our Declaration of 30 Nov. last, and she shall not suffer in consequence of her husband having taken lands in Clare, except the deduction above named. Clauses for execution [*see above p.* 197 *note*]. *Pp.* 2. *Ibid.* 494-6.

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30 March. Whitehall. The KING to the LORDS JUSTICES for EDWARD GRAFTON[1] [? CROFTON].

Directing that Edward Grafton of the Mote in Roscommon be made a baronet of Ireland. *P.* ½. *S.P. Dom. Signet Office IV.* 498-499.

Same. SAME for JOHN POVEY.

Directing that he be appointed Receiver of the Excise in Ulster—*except* in the cos. Antrim and Down—during pleasure. He shall have power to appoint under officers and sub-collectors who shall be approved by the High Treasurer of Ireland and shall give security for honest administration. *P.* 1. *Ibid.* 501. [*See Docquets* at end of Jan., 1661].

Same. SAME for FRANCIS MACKWEY, of Ballyneskeagh [Ballynaskeagh], co. Meath.

The Marquis of Ormond and Lords Moore and Kingston report on his petition and certify his loyalty. During his campaigns the Marquis of Ormond gave special orders to his troops to respect Mackwey's estate. He took no lands in Connaught from the usurper. He shall be restored to all his lands. Clauses for execution [*see above p.* 179 *note*]. *Pp.* 1¼. *Ibid.* 503-5.

Same. SAME for GERALD LEYNES, of Knocke, co. Meath.

The Marquis of Ormond and Lords Moore and Kingston testify to his loyalty. He appointed three of his sons to serve in the Irish war, of whom one, Christopher Leynes, was killed in Sept., 1650, and another, David, was killed in April, 1651. Peter Leynes served in Ireland till the usurper's power became prevalent and then retired and died abroad. Gerald took no lands in Connaught from the usurper. He shall be restored to the lands of which he was dispossessed by the late usurper. Clauses for execution. *Pp.* 1½. *Ibid.* 513-4.

Same. SAME to SAME concerning MAINTENANCE of the CHURCH.

We are resolved to maintain the Church and further endow it where necessary. You shall cause surveys to be made of all the appropriates, rectories, or vicarages, which are now in lease or out of lease, and of all such as shall be vested in the Crown by the attainder of all persons now or hereafter to be attainted or convicted, also of all such lands as in the past were in the hands of any Archbishop, Bishop, Dean, Dean and Chapter, &c., or other

(1) *See* Lascelles *Liber Hibernie I.*, 74.

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ecclesiastical person or persons in Ireland, and which are in the Crown by the attainder of persons who are not or ought not to be restored. The survey should state which of these lands have been set out to adventurers or soldiers, and which have been charged with any port corn or other provision or supply for our Deputy or other Chief Governor. Upon return of these surveys, we shall declare our further intentions herein. In the meantime you shall not pass any of the premises to any other person. *P.* 1. *S.P. Dom. Signet Office IV.* 519-20.

30 March. The KING to the LORDS JUSTICES for VISCOUNT MOORE, of Drogheda.

Ordering that he be granted the title and honours of Earl of Drogheda in the Peerage of Ireland. *P.* ½. *Ibid.* 521-2.

31 March. SAME to SAME for LORD KINGSTON and concerning CAPTAIN JOHN BLACKWELL'S Estate.

John, Lord Kingston, is now in possession of the lands of Temple Oge, co. Dublin—as a purchaser from John Blackwell, an adventurer—together with the benefit of the brook which runs through it "or otherwise," formerly belonging to Sir Henry Talbot, Bt., who is to be restored. You shall see that he gets full reprisals for these lands and this benefit in the barony of Boyle, and the half-barony of Ballamoe [Ballymoe], co. Galway, or in such other barony of the said "counties" [Galway and Roscommon] as he shall make choice of, he receiving lands of restored persons who had been transplanted or any other lands which come into our hands. *Pp.* 1¼. *Ibid.* 542-544.

Same. SAME to SAME for MAJOR HENRY O'NEYLE or O'NEILE.

Major O'Neyle has been loyal to our cause. He shall be restored to this estate in Ireland. *P.* ½. *Ibid. pp.* 589-90.

March. SAME to SAME.

Directing them to cause letters patents to be made to themselves giving any two of them power to act as Lords Justices. This is done as a matter of convenience. They shall from Nov. 20 last have all the rights and fees allowed to all the Lords Justices. Each of them shall have £1,500 a year. The grant in execution of this letter shall be so drawn as not to invalidate any previous grant made to any one of the three Lords Justices alone. *Pp.* 1½. *Ibid.* 466-7.

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March. The KING to the LORDS JUSTICES for WM. BARRYOGE, of RINCORRANE.

Lords Donegall and Moore report on Barryoge's petition showing that his father, Philip, was loyal to the Royal cause, and, after being dispossessed of his lands in Ireland, retired to Flanders and there died in our service. The petitioner William served as a reformado captain under Lord Muskerry in the Duke of York's force, and is particularly named in our Declaration to be restored as an innocent papist and deserving person. He shall be restored to his father's lands. Clauses for execution. *Pp.* 1¾. *S.P. Dom. Signet Office IV.* 478-80.

Same. SAME for PETER PELT.

Directing that he be appointed Advocate-General in all causes foreign, ecclesiastical, and maritime wherein the King may be interested or concerned in Ireland. He shall have the office by patent and during good behaviour. *P.* ¾. *Ibid.* 508-9.

Same. DRAFT of the KING to VISCOUNT VALENTIA, Vice-Treasurer and General Receiver in Ireland, and to the EARL of ORRERY and LORD MASSEREENE, as receiver of the Adventurers' moneys.[1]

Directing them to pay £2,000 Sir Maurice Eustace out of the first moneys paid in by adventurers and soldiers, in respect of the lands confirmed to them. *P.* ¾ *and p.* ¾. *Two copies, Endd. S.P. Ireland* 306, 142 *and* 143.

Same. INSTRUCTIONS to the EARL OF MOUNTRATH, as President of Connaught.

You shall exercise civil and criminal jurisdiction in Connaught with the advice of any two or more of the Council, as Ulick Earl of Clanricarde and Lord Ranelagh formerly did.

You shall keep a jail delivery whenever you think fit and shall proceed to the execution of all traitors, felons and other delinquents in such form as the judges of jail delivery or former Presidents of Connaught did.

You shall cause the Oaths of Supremacy and Allegiance to be administered to all our subjects there and proceed against those who refuse to take it. *P.* 1. *Ibid.* 308, *p.* 8.

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(1) These three officers when mentioned together in this capacity are hereinafter referred to as the "Receivers of the Adventurers' moneys." They were appointed to receive the contributions paid in by the Adventurers and soldiers who were returned to their lands by the Restoration Government and paid in half a year's profits to the Crown in gratitude for that return.

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1 April. Whitehall. The KING to the LORD CHANCELLOR, JUSTICES, and to the MASTER of the COURT of WARDS for CAPTAIN HENRY SANKEY.

Directing that he be granted the wardship of the body and estate of Douglas, daughter and heir of Wm. Savage, of Rehan [Raheen], in the Queen's Co., deceased. *P.* ½. *S.P. Dom. Signet Office IV.* 496.

Same. SAME to SAME for MICHAEL BERFORD.

The Marquis of Ormond and Lords Moore and Kingston, and others, report and certify the loyalty and good service of Michael Berford, of Killrow, co. Meath. He was dispossessed of his estate, suffered two years' imprisonment for not transplanting, has had no compensation, and took no lands in Connaught. He shall be restored to the estate of which he was dispossessed. Clauses for execution (*see above p.* 179 *note*). *P.* 1. *Ibid. p.* 520-1.

Same. The SAME to [the SAME] for RICHARD BERFORD.

The Marquis of Ormond and Lords Moore and Kingston report certifying the loyalty of Berford to the Royal clause. The Lord Chancellor Eustace certifies that he is an aged man and has always worked as a "lawyeare" never bearing arms, and was, on his submission to the peace of 1648, made a judge by the Earl of Clanricarde, when Deputy under the Marquis of Ormond, and that he "laid timely hold on" our Declaration of Breda. He shall be restored to his estates. Clauses for execution. *Pp.* 2. *Ibid.* 510-512.

2 April. Whitehall. SAME to SAME for RICHARD BAMBER and for CHRISTIAN, his Mother.

The Marquises of Worcester and Ormond and Viscount Moore report and certify the loyalty and good service of Capt. John Bamber, who was captain of a troop of horse in England in Col. Tildsley's regiment. He afterwards served us well as captain of a frigate at sea. We hear also that his son, the petitioner, is a loyal subject. He shall be restored to the houses, &c., in the city of Dublin, of which John Bamber was dispossessed. The possessors thereof shall also hand over any of the mean rents of the said houses for the last thirteen years for the benefit of the six other orphan children of John Bamber. Clauses for execution. *Pp.* 1½. *Ibid. Vol. V. p.* 47.

Same. SAME for RICHARD INGOLDSBY.

Directing that, there be continued to Richard and to Col. Henry Ingoldsby all such forfeited lands, not exceeding 4,500 acres, together with one house and garden in the City of Limerick, as are

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not confirmed to them by operation of the Declaration, for a period of six months. Within that time they may purchase the same with all adventures, encumbrances, &c., which are satisfiable thereupon. All lands which either of them had purchased in co. Clare, for arrears due for service before June, 1649, shall be confirmed to them. *Pp.* 1½. *S.P. Dom. Signet Office Vol. IV.* 539-41.

2 April. Whitehall. The King to the Lords Justices for Lord Caulfield and Sir Theophilus Jones.

Ordering that they be added to the Commission appointed for executing the Royal Instructions and Declaration for settling of land in Ireland. *P.* ½. *Ibid. p.* 515.

Same. [Secretary Nicholas] to the Lords Justices and Council.

Concerning the sending of £30,000 to Ireland and the holding of Parliament:—The King approves of your resolution to adjourn the term as you and the judges find it convenient. I shall consult his Majesty on what you say about the licensing of ale and beer. "Elections for the future Parliament are very well managed both in counties and boroughs for his Majesty's service and the public good. Only few good men are satisfied with that made in London." *P.* ⅔. *Entry. S.P. Ireland* 308, *p.* 32.

[General date, 3 April.] Documents Relating to the Case of Edward Fisher.

Edward Fisher to Secretary Nicholas.

After a tedious journey, delayed by want of wind and by ague, I arrived in Dublin safe and well and so, I am thankful to say, I continue. Here I soon understood that the office of Comptroller of the Customs at Wexford came lately to one Mr. Perrin, by virtue of a patent to him from King Charles I., so that the grant given by the Earl of Cork to me is frustrate. I have long asked his lordship for some other employment, but without success. I shall venture to give an account of the matter.

The King has reserved to his disposing all estates forfeited for rebellion lying in the co. Dublin, and has granted those estates to such as have suffered in his behalf. Amongst others Richard Barnewall [or Barnewell] and John Finglas, Esqs., both Irishmen, stand outlawed for their rebellion against the King in the late wars here, and have forfeited their estates. Both of these estates have hitherto been valued at £300 a year, and are still adjudged as of nearly that value. Mr. Thomas Kennedy, Clerk of the Crown here, assures me of this fact. He is known to you, I think, and both known to your son and Mr. John Nicholas.

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My request is that you will exercise your goodness in the re-establishment of our family and by your interest with the King obtain an effectual answer to the enclosed petition. I shall be always most grateful and ready to serve you.

P.S.—I am warned to ask you to search the office of Privy Seals for one or two months past to see whether that which we petition for has not been given away.

Mr. Kennedy has given me the rough draft of the letter to be granted by the King which I send and submit to your correction. *Pp.* 1½. *Endd. in* Nicholas' *hand. S.P. Ireland* 307, 1. Dated, 3 April, at Mr. Blackney's house, a barber in Cork Hill, Dublin. *Enclosing :—*

Draft of a King's letter for Edward Fisher, of Mickleton, in Gloucester.

Recites the services of Fisher and his father, and the fact that Richard Barnewall, late of Lispople, in the co. Dublin, and John Finglas, late of Westpelstown [*Westpalstown*], *in the same, persons attainted for high treason, were seized or reputed to be seized of certain lands. Orders that Fisher be instated in these lands. Clauses for execution. Pp.* 3. *S.P. Ireland* 307, 1*a*.

Petition of Edward Fisher to the King, showing that :—

Petitioner's father and that father's five sons suffered much in the Royal cause. He prays for the lands of Lispople and Westpelstown [*see foregoing*]. *P.* ½. *Endd. Ibid.* 2.

Certificate by Thomas Kennedy, Deputy Clerk of the Crown in Ireland.

Certifying the outlawry of Richard Barnewell, of Lispople, co. Dublin, Esq., in Hilary term, 16413, and of John Finglas, of Westpelstown, in the same, in Hilary term, 1643. *P.* ½. Dated 3 April. *Signed. Ibid.* 3.

This concludes the documents relating to this case.

3 April. Whitehall. The KING to the LORDS JUSTICES for DOMINICK ROCH, of Newastle [Newcastle], in the city and co. of Limerick.

The Lords Moore and Kingston, the Marquis of Ormond and others report and certify that Roch's father, Jordan, embraced the peace of 1648, and that they and Dominick, the grandfather of the present Dominick, loyally supported the Royal cause. The petitioner shall be restored to the lands of which he, or his father

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or grandfather, was deprived by the late usurped power, and which are not in the hands of adventurers or soldiers. Clauses for execution (*see above p.* 179 *note*). *P.* 1½. *S.P. Dom. Signet Office IV.* 522-3.

3 April. Whitehall. SIR MAURICE EUSTACE to SECRETARY NICHOLAS.

I received your letter of the 18th, by Sir Arthur Forbes, together with the Commission for summoning the Parliament and the bills. You will understand by despatches what was then done therein, so as I shall not at this time give you the trouble thereof.

We have had many disputes at the Council Board concerning the summoning of the Lords to Parliament and divers questions raised thereupon, viz:—

1. Whether a nobleman indicted of high treason and outlawed should be admitted to sit in the House of Lords. It was agreed not, because by his outlawry he became corrupt and his blood ignoble.

2. Whether any distinction was to be drawn between those noblemen who are to be restored to their estates by the King's Declaration, though outlawed, and those who are not provided for by the Declaration. It was decided that there was no such difference, because those who had been outlawed of high treason remained so outlawed in spite of the Declaration.

3. Whether the Lord Chancellor should forbear to send summonses to such as have been outlawed. This has not yet been settled.

4. If writs should issue to such as were outlawed to summon them to the Parliament, whether or not they, by appearing thereupon, were not restored to their blood and honour? This was decided in the negative.

5. If a writ of summons issued to the son of a nobleman who had died outlawed, did his appearance thereupon enoble him?

These questions have been stirred and publicly debated here. I have closed them by sealing writs of summonses to the nobility in England who stand outlawed, thinking it better that the House of Lords should determine these questions than that I should do so. The Earl of Antrim's writ alone I did not seal, knowing the charges against him. These I could not overlook.

There were many more intricate questions raised regarding elections and members to be returned to the House of Commons, but no rule was given therein, "but this you may take for granted that the adventurers and soldiers will be the men who will be returned. . . . . From this you may easily conclude how matters will go."

I received your letter of the 23rd of last month with an enclosure of the 15th, to the same effect as that of the 13th of the same. We will keep them private though you do not do so, for some there do write the effect thereof to their friends here. We shall await your answer to ours written by the last packet which, for greater privacy was written by the Earl of Mountrath.

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I send you a copy of the King's letter for settling the impropriations and tithes on the Church. The ground thereof was an engagement made by his father to the same purpose, a copy of which letter, I likewise send you. "If my memory do not fail me," King James I., by the advice of Sir Wm. Jones, Sir Thomas Croom and others, did in like sort engage himself to the Church, and it was the desire of the General Convention of Ireland by their Commissioners to the King that this might be done. The King, as you will find, answered them graciously. These were the grounds which, together with the equity and justice of the King, induced him to write his letter on behalf of the Church, but without any diminution of his ancient rents and revenue. It is certainly worthy of the King, as Defender of the Faith, to return to the Church that which was taken from it and to retain that which is his own, "so that which is Cæsar's is given to Cæsar and that which is God [*sic*] is given to God."

There come daily so many letters from the King for the granting of vast proportions of land that, if some stop had not been given thereto, little or no reprisals would have been left to satisfy adventurer or soldier, and if this *Remora* should be removed by the importunities of some, the inconveniences would be very great. There is but six and thirty thousand acres of land which can be reckoned as forfeited lands in the county of Dublin, and of this there is direction from his Majesty that twenty thousand acres shall pass in one grant and there are some others of the like kind.

I suggested lately "at Council Board" that we should petition the King to grant no more lands in Ireland in answer to petitions till the value of the land petitioned for had been estimated. It is still under consideration. I hope he shall have orders of this kind. They would help us greatly, diminish the number of suitors there, and his Majesty would know what he granted before he gave it. *Pp* 3¾. (*Hol.*). *Endd. in* Nicholas' *hand*. *S.P. Ireland* 307, 4.

3 April. The KING to the LORDS JUSTICES for WILLIAM, LORD [BOURKE], of Castle Connell.

The Duke of York, and Lords Moore and Kingston report certifying Lord Bourke's loyalty. When our troops were beyond seas he repaired to them at their *rendezvous*, and the command being given away, trailed a pike in the Duke's regiment at his own cost from the beginning until he came into England. He was loyal to our cause in Ireland. He has suffered much for his loyalty. He shall be restored to all the lands, &c., which he held in Oct. 1641, or since. Clauses for execution. *Pp.* 2. *S.P. Dom. Signet Office IV.* 506-8.

Same. SAME for JASPER and ALEXANDER KIRWAN, of Galway town.

Lords Moore and Baltinglass report on the Kirwans' petition that they and their father Edward (deceased) were loyal to the Royal

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cause. Jasper and Alexander were out of Ireland at the time of the war. They shall be restored to their father's lands notwithstanding his acceptance of lands in Connaught and payments to the usurped authority. Usual clauses for execution (*see above p.* 179 *note*). *Pp.* 2. *S.P. Dom. Signet Office IV. pp.* 537-9.

3 April. The KING to the LORDS JUSTICES for MAGGIN MARTIN, late of Dongnera or "Donguera" [Dungory or Dunguerie], and of PETER MARTIN and JOHN MARTIN, her children.

Lords Moore and Baltinglass report on the Martins' petition that Maggin was a daughter and co-heir of Sir Peter French long before the war of 1641. Her husband, whom she married before 1641, died in 1648. She lived peaceably and loyally and took no compensation in Connaught for the lands taken from her in the town and liberties of Galway. Peter and John were only born in 1640 and 1642, and are innocent. She shall be restored notwithstanding her acceptance of [*&c., as in foregoing letters*][1]. Similar grant for Peter and John, notwithstanding [*&c., as above*]. Clauses for execution. *Pp.* 2. *Ibid. pp.* 545-7.

4 April. Whitehall. SAME for OLIVER MARTIN, late of Dongnora [Dungory?] or Donguora [Dunguery], co. Galway.

The Lords Moore and Baltinglass report certifying Martin's loyalty and on that of his grandfather, Oliver Martin, of Kinwarra [Kinvarra], co. Galway. They report that they never served under the Irish Confederate or any other government; that Oliver, the petitioner's grandfather, was an aged feeble man, about 80 years old, when the rebellion broke out in 1641, and that he helped the Protestants and was plundered by the rebels in 1643; that the petitioner and his grandfather adhered to the peace concluded in 1648; that petitioner is the heir of his grandfather, as his father, Richard, died while Oliver Martin, the elder, was still alive. Oliver, the younger, shall be restored to all the lands of which he or his grandfather was deprived by the late usurped power, notwithstanding [*&c., as foregoing*]. Clauses for execution. *Pp.* 2⅔. *Ibid.* 534-7.

6 April. Council Chamber, Dublin. The LORDS JUSTICES to SECRETARY NICHOLAS.

Since ours of the 20th February, wherein were enclosed several examinations concerning the Marquis of Antrim, the enclosed papers came to our hands. We send them. *P.* ½. *Signed.* (*Hol.*) by the Lords Justices. *Add. Endd in* Nicholas' *hand. S.P. Ireland* 307, 5. *Enclosing—*

[1] This clause obviously conflicts with the preamble to the letter.

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Examination of the Marquis of Antrim.

Present: The Marquis of Ormond, the Earl of Castlehaven, Lords Dillon, Taaffe and Muskerry, Sir Lucas Dillon, P[atrick] Barnewall, Daniel and Hugh O'Niel, James Butler and P[atrick] Bryan.

The Marquis of Antrim was asked before the Lieutenant-General how he came by certain heads of an agreement pretended to have been seen under the hand of the Lord Baron of Inchiquin, President of Munster and Lieutenant-General of the King's Army with the rebels. He said that the heads were sent to him by Col. Michael Jones with desire that his lordship would send them to Ever McMahon, Bishop of Clogher. He did so send them by one Father John Farrell, desiring the Bishop whether he should acquaint the Lord Lieutenant and the Commissioners of Trust with them. As his lordship's letter miscarried, he sent the Bishop another enclosed in a letter dated about a week since. Being asked what he conceived was Jones' reason to send him these heads he answered that he believes it was to sow sedition. P. ⅔. Dated 5 Dec., 1649, Clonmell. With signatures of those present. Endd. S.P. Ireland 307, 5, 1.

Heads of an agreement, probably those referred to above.

Containing conditions upon which the writer will cause certain strong places in Ireland to declare for [the Parliamentary cause]. P. 1. Endd. "Supposed to be sent from Lord Inchiquin to be imparted to Cromwell. Ibid. 5, 2.

6 April. At Mr. Blackney's house, a barber, on Cork Hill [Dublin].

EDWARD FISHER to his cousin, SECRETARY NICHOLAS.

I have to ask on behalf of my friend, Mr. Kennedy, that when his letter is past you will write to the Lords Justices of this Kingdom asking them to give their assistance in passing the grant under the Great Seal here. This will advance my credit and prevent the "rubs" with which his Majesty's grants here often meet. *P.* ½. (*Hol.*). *Add. Endd. in* Nicholas' *hand. Ibid.* 6.

6 April. Whitehall.

The KING to the LORDS JUSTICES concerning grants of land.

Directing that, for the safety of the revenue and that the King may know what he has granted, no grants be made under the Great Seal save upon a particular first had from the Surveyor-General, and that all patents be entered in the Auditor-General's office. *P.* ⅓. *S.P. Dom. Signet Office IV.* 530.

Same

SAME for SIR RICHARD SUTTON.

We are informed that by the industry and expense of Edward Cusack, of Drakestown, co. Meath, the lands, &c., whereof Richard

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Cusack, of Gerardstown Trevett, co. Meath, and his son, Adam, were seized, have been preserved from distribution to adventurers or soldiers. Edward is second son to Richard, and these lands are possessed by Edward and others in trust for him except the villages of Scalstown [Scalestown] and Kelmore [Kilmore], co. Meath, which have been given to adventurers and amount to about one hundred and fifty acres and the lands called Bylands [Belinstown?][1] and Belregard [Balrickard?],[1] consisting of about 50 acres in the co. Dublin, which are now in our hands. Edward Cusack, together with Sir Richard Sutton, of Gormanstown, co. Meath, Kt., his relation, have asked for a grant of these lands to Sutton, for confirmation of the estate which Edward has granted to Sir Richard. You shall grant to Sutton all the lands of which Richard or Adam Cusack was seized on 23 Oct., 1641, including Scalestown and Kilmore — to the present possessors of which you shall give reprisals. Balligard [*sic*] and Bylands shall be put out of charge in the Exchequer and possession of them given to Sutton. Full clauses for execution. *Pp.* 2¾. *S.P. Dom. Signet Office IV. pp.* 567-9.

7 April. The King to the Lords Justices.

Referring to them the Bishop of Kildare's petition. The King is anxious to improve the revenue of the church and they shall annex the preceptory mentioned to the Bishopric if this can be done without prejudice to the interests of adventurers and soldiers. *P.* ½. *Ibid.* 523-4. *Followed by*—

Copy of Petition of Thomas [Price], Bishop of Kildare, to the King, showing that:—

The Lords Justices, considering how much his diocese has lost by devastations and alienations, annexed thereto the preceptory of Tully, late the property of Peter Sarcefield [*sic*], Irish Papist and rebel, deceased, being next the town and cathedral of Kildare, anciently belonging to the Knights of the Hospital of St. John of Jerusalem, since vested in the Crown and granted to Sarcefield's ancestors at a small rent.

There is no house for the Bishop, but on the lands of the preceptory such a house could be built at a small expense. He prays for a grant of the preceptory if it can be given without prejudice to the interests of adventurers or soldiers to whom, by the King's Declaration, all the forfeited lands in Kildare are allotted. *P.* ¾. *Ibid. p.* 525.

8 April. Whitehall. The King to the Lords Justices for Daniel O'Neile.

Sir Phelomy O'Neile, of Kinard, co. Tyrone, and Thorlagh O'Neile of Ardgonil or Ardgonill, co. Armagh, are attainted of high treason, and their lands have come to the Crown. Daniel O'Neile, who is one of

[1] Suggested by Mr. W. H. G. Flood.

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the Grooms of the Bedchamber, has merited our consideration by his loyalty to King Charles I. and his service of us abroad. We grant him all the interest which has come to us on account of the treason aforesaid. He shall satisfy all who have mortgages on these estates and shall thereafter be given the estates by patent without delay. A bill shall be prepared to pass in the next Parliament there for confirming the said title. *Pp.* 2. *S.P. Dom. Signet Office IV.* 528-530.

And draft of the same. *Pp.* 2. *Endd. S.P. Ireland* 307, 7.

8 April. SIGN MANUAL WARRANT to the LORDS JUSTICES for the MARCHIONESS of ANTRIM.

The Marchioness sued us for an order that certain arrerages of freehold rents arising out of the baronies of Dunluce, Carie [Cary], and Glenarm and "Chillionuse," part of her husband's estate might be paid to her. We grant the petition. *P.* ½. *Endd. Ibid.* 8.

General date, 8 April. DOCUMENTS RELATING TO THE CASE OF SIR ROBERT STEWART.

Petition of Sir Robert Stewart to the King, showing that:—

Petitioner has loyally served the Royal cause and has ruined himself in the service. He has been a prisoner for eight months for a public debt contracted for three regiments notwithstanding the King's commands to Lord Laderdall [Lauderdale] to set him at liberty.

The Irish Commissioners are about to present a bill to the King for raising £15,000 of [in] Ireland for their expenses. He prays for £2,000 for himself to pay these debts and free the Exchequer of all burden. *P.* ½. *Underwritten with*—

Order, dated 19 Dec., referring the petition to the Lords of the Committee [of Council] for Irish affairs, *and endd. with*—

Report of the Committee on the above Petition.

It should be granted. *P.* ½. *Signed by* the Marquis of Ormond, the Earl of Anglesey, Sir Charles Berkeley, Sir Edward Nicholas and Sir George Carteret. *In all, pp.* 1½. *Endd. Ibid.* 9.

Further Petition of the Same, showing that:—

Petitioner in 1638, was made Governor of Kilmore [Gulmore], Castle in Ireland, and on 3 August, 1641, was granted 13*s.* a day for life by privy seal and also 6*d.* a day for ten soldiers, and 12*d.* a day for a gunner, to be paid by the receiver of the King's revenue for Londonderry. Petitioner maintained 100 men instead of ten at

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his own charge during the rebellion. He narrowly escaped being killed by the rebels. He is now starving.

He prays for restoration to his command with establishment as above. *P.* ½. *Underwritten with*—

Order, dated 29 Dec., referring the petition to the Marquis of Ormond, *and endd with*—

Report by the Marquis of Ormond on the above Petition.

Testifies to the facts stated above, and sets out at length the privy seal warrant of Aug. 8, 1641, also a certificate dated 20 March, 164$\frac{3}{4}$, signed by Robert Whitfield, the collector of the King's revenues in Londonderry, declaring that Sir Robert had never been paid any of the sums mentioned. The petition should be granted. *Pp.* 1½. *Signed by* the Marquis of Ormond. Dated 15 Jan., 1661. *The whole, pp.* 2. *Endd. S.P. Ireland* 307, 10.

Draft of the King to the Lords Justices.

Reciting the above petition and report and granting the petition. *P.* ½. *Endd. Ibid.* 11.

Further Petition of Same to Same, showing that:—

By a commission from King Charles I., dated 1641, petitioner raised a regiment of 1,000 foot and a troop of horse; and the King declared that all the officers therein should be paid at the rate laid down in the Irish establishment. Petitioner commanded this regiment and troop, a company on the old establishment, and the fort of Culmore from 1648 to 1649, and received no pay. He prays for statement of his arrears, and payment thereof by some good charge. As he was first in the service, he should be first paid. *P.* ½. *Ibid.* 12.

Sir Robert Stewart's Desires, to be presented to the King.

Many people wait to see the issue between me and my creditor Sanderson; and I fear that the King's goodness to me may be used as a precedent by those who wish to get their principal and their interest as well as Sanderson does. I think it well to let you know what dangers may follow if Sanderson's desires for my relief are granted. I desire a grant of Clement's adventure and will rather endeavour to satisfy Sanderson as [than] have the King troubled by persons having pretentions similar to his. *P.* ½. *Unsigned. Endd.* as in title. Possibly addressed to Sec. Nicholas. *Ibid.* 13.

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Draft of the King to the Lords Justices for Sir Robert Stewart.

Sir Robert engaged himself for provisions for Sir Wm. Stewart's and Sir Audley Mervin's regiments, and is now prisoner for £2,000 which, be undertook should be paid for these charges. You shall insert a clause in a bill which we understand is preparing there to be transmitted to us for the raising of about £15,000 for the Commissioners employed by our Parliament there and other charges, or in any other future bill sent here, whereby £2,000 may be raised in that kingdom and paid over to Stewart. Show diligence in this matter. *Pp.* 1½. *Endd. S.P. Ireland* 307, 14.

The King to the Lords Justices for Sir Robert Stewart.

Sir Robert has served us well in Ireland and beyond the seas. You shall put him into possession of all the lands lately occupied by Gregory Clement, sometime of the city of London, who has been attainted of high treason. If we have no title to these lands, he shall be given lands of equal value elsewhere. *Pp.* 2. Dated 8 April, 1661. *S.P. Dom. Signet Office IV, pp.* 605-607.
And draft of same. *S.P. Ireland* 307, 15.

[Somewhat later].

Draft of Same for Same.

Sir Robert complains that there is a stop put to his grant of the lands of Gregory Clement, in Tipperary and King's Co., because (as is said) it is contrary to our Declaration of Nov. 30, 1660, and because we have given order that all such orders shall be stopped. We do not believe it is so contrary, in as much as Gregory Clement's lands are forfeited to us upon a particular account. The grant shall therefore be passed to Sir Robert Stewart. *Pp.* 1½. *Endd. Ibid.* 16.

Draft of Same for Same.

Granting him the licences for selling ale and beer in Ireland for 21 years, at a rent of £800 for the first year, £900 for the second, £1,000 for the next five, and £1,200 for the next seven and £1,500 for the rest of the period. *P.* ½. *Endd. Ibid.* 17.

This concludes the documents relating to this case.

8 April Whitehall

The King to the Lords Justices for Captain Andrew Tuit, of Menelea [Moneylea], co. Westmeath.

The Marquis of Ormond reports favourably on Tuit's loyalty in 1641, and certifies that he gave Tuit command of a troop of fifty horse in

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1645. He entertained the Lord Lieutenant [Ormond] and his attendance "very frankly for several days" in 1646, when he marched into Westmeath after the breach of the peace of 1646, and in 1649 was granted a commission to exercise martial law in Westmeath and Longford, &c. The Marquis also says that Tuit served us well in Ireland and agreed to the peace of 1649, and that he sent one of his sons with a foot company to serve abroad, which son, being in Spain, repaired to France, and then to Flanders in our service, and was killed at Mardyke. Capt. Tuit, the Marquis further says, was dispossessed of his estate by the usurper, but took no lands in Connaught. He shall be restored to all the lands of which he was dispossessed by the late usurped power. Clauses for execution (*see above p.* 179 *note*). *Pp.* 2. *S.P. Dom. Signet Office IV.* 525-7.

8 April. Whitehall. The KING to the LORDS JUSTICES for ELIZABETH, COUNTESS DOWAGER OF ROSCOMMON.

Directing that if the wardship of Mary Crofton is in the King's hand, it be given to the Countess. *P.* ¼. *Ibid.* 530-31.

Same. SAME for CAPT. ROBERT LAWSON.

Directing that, in settling the Kingdom of Ireland as much favour be shown him as is consistent with the public safety. The two campseis called Gorthagarties [Gortagherty], the ballibecto [ballibetagh] and two sessogs of Ballymullan, the ballibetto of Ballymocklaskie [Ballymacluskey?][1] the ballibetto belonging to Quibalong MacRichard O'Cane, the two freeholds belonging to the MacGalligants called Ballycurtein [Ballygorteen?][1] and Ballymasse, with six quarter lands and a mill belonging to James McHenry O'Cane, all lying in the co. Londonderry, or as much of them as are forfeited and undisposed of to adventurers or soldiers, together with the town lands of Ballmahatty [Ballymahatty][1] and Ballinellinallie [Ballylynally][1] in co. Down and Antrim, which were formerly the possessions of Captain Robt. Lawson, shall be set out to him in satisfaction of the debts, &c., due to him under the King's Declaration. Clauses for favourable execution. *P.* ¾. *Ibid. pp.* 531-2.

Same. SAME for RICHARD [COOTE], BARON COLLOONEY.

Lord Collooney has been at great expense for improving the lands of Collooney, co. Sligo, of Bryan McDonagh, which were set out to him for his services. These lands, by an old agreement between McDonagh and Viscount Taaffe, should now come to Viscount Taaffe, but he has consented to take compensation elsewhere. The estate is estimated by Lord Collooney to have been worth £400 a year before his improvements were made and Lord Collooney wishes that Lord Taaffe may be compensated. You shall find lands

[1] Suggested by Mr. Flood.

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in Limerick, Cork or Louth, or elsewhere convenient to Lord Taaffe, whereby he may be compensated to the extent of £400 a year. *Pp.* 1½. *S.P. Dom. Signet Office IV.* 572-3. Also another entry of same, dated 9 April. *Pp.* 1¼. *Ibid. pp.* 752-3.

8 April. Whitehall. The KING to the LORDS JUSTICES for SIR ARTHUR DENNY.

Directing that his lands in Kerry be confirmed to him on the terms contained in the grant which was made of these lands by King James I. *P.* ½. *Ibid. pp.* 553-4. *Followed by—*

COPY of PETITION of SIR ARTHUR DENNY to the KING, showing that:—

He prays that the King will consider his case. Queen Elizabeth by letters patents dated 27 Feb. in the 29th year of her reign in pursuance of certain articles under the Great Seal of England, dated 27 June in the 28th year of her reign, granted to Edward—afterwards Sir Edward—Denny, all the castles and lands commonly called Tawlought [Tawlaght], co. Kerry, the said lands amounting to 6,000 English acres, besides wood, bog, &c., by the name of the seignory of Dennyvale, in free and common socage with a rent reserved of £100 a year, or 4*d.* an acre. Edward Denny died about 1607, and Arthur Denny succeeded, and, in 1609, petitioned to be allowed to hold his lands on the terms upon which the undertakers in the co. Cork then held theirs; and the King on 11 April, 1609, directed letters to Sir Arthur Chichester, Lord Deputy of Ireland, granting the petition. The Auditor-General of the King's revenue in Ireland certified that the Cork undertakers held their lands at one white groat per acre per annum, and on 8 June, 1609, the Lord Deputy and Commissioners for Defective Titles directed that Arthur Denny should pay a rent of £33 6*s.* 8*d.* a year for his 6,000 acres. This rent was paid till 1638, when the late Earl of Strafford forced Sir Edward Denny to pass his seigneury by a new grant upon the Commission of Defective Titles. The Earl threatened, if this were not done, to levy all the arrears of rent as if the reduction in King James I.'s time had never been made. The Earl claimed that a patent should have been passed in King James' time, which could not be done owing to the death of Arthur Denny soon after the concession, and to the fact that his successor was a minor and ward to the Lord Chancellor. Sir Edward died about 1642, and was succeeded by the present petitioner.

He prays for a new grant at £33 6*s.* 8*d.*, which is more than the estate, remote and now wasted by war, yields: also for certain other lands in Kerry, in common socage, which his predecessors formerly held *in capite*, and for remission of all rents which have fallen due since the Restoration over and above that which may be due at the rate of the £33 6*s.* 8*d.* mentioned above. If this is done, he will at once plant with English. *Pp.* 4¼. *Ibid. p.* 554 *and continued (by mistaken entry), on pp.* 563-567.

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8 April. Whitehall. The KING to the LORDS JUSTICES for TREVOR FLOYD.

Directing that he be preferred to any other person in the appointment to the first company which shall fall vacant in Ireland, excepting only those who have letters of a precedent date, or are nominated to a particular company. *P.* ½. *S.P. Dom. Signet Office IV. pp.* 562-3.

9 April. Whitehall. SAME for reserving rents on forfeited estates.

Directing that on all grants which are made to others than adventurers, soldiers, or transplanted persons, three times as much rent be returned [reserved ?] as upon the land in the same province given to adventurers or soldiers. *P.* ½. *Ibid.* 532.

Same. SAME about the CORPORATIONS of the PROVINCE of MUNSTER.

The Earl of Orrery, as President of Munster, has represented to us the loyalty of the corporate towns in Munster, and the loss which they suffer by having, by the letter of the law, forfeited the charters, which promoted trade and "the well peopling of the said corporations." We empower you to renew those charters by letters under the Great Seal and to grant to the corporations all the lands which they had before 23 Feb., 1641, by letters under the Great Seal of the same. You shall insert a clause in such terms as you think fit, directing that the corporations shall rebuild such houses as belong to them in the said corporations within such time as you think fit, "our intention herein being only to beautify the several towns by handsome buildings, the charge of doing whereof will easily be borne by the corporations," who receive their rents accordingly. And whereas in the past the trade of the province was kept back "by the power granted to the said corporations of restraining all manner of persons of what birth or nation soever to set up their trades and manufacture in the said cities, sea-ports and corporations under [other] than such as had served their 'apprentyships' in the said towns, few of whose masters ever attained the skill of working the native commodities of Ireland to such a perfection as to make them vendible in the said kingdom, much less beyond the seas, so that the whole commodities of the said province were only transplanted in kind, to the great impoverishment of the people thereof, and this only upon the account that no foreigner, though an Englishman, should come and set up in their corporations, and so take their trade out of their hands" you shall reserve power to the Governors of Ireland to admit into the said corporations such persons as they think may benefit the commerce and manufacture of any of them by their residence and industry. The Recorder or Chief Town Clerk shall hold office at our good pleasure and, if he be dismissed, his post shall be filled at the nomination of the corporation subject to our assent. You shall insert as members of the corporations such persons as are named to you by the Earl of Orrery. *Pp.* 1¾. *Ibid.* 533-4.

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9 April. Whitehall. [Secretary Nicholas] to the Lords Justices and Council.

Concerning the sending over of £30,000 to Ireland, and the holding of Parliament there. Great preparations are being made for the King's Coronation, and he desires that the usual festivities, and no more, should take place in Ireland. The Council should watch the matter dealt with in the letter subscribed by James Galbally. *P.* ¾. *Entry. S.P. Ireland* 308, *p.* 34.

Same. [Same] to the Lords Justices.

The grant of power to license the selling of ale and beer is to be kept in the King's hands and not granted to Sir Robert Stewart. A treble rent is to be reserved on all grants passed since the King's restoration to Ireland. The King goes Monday next to Windsor for the instalment of the Knights of the Garter. *P.* ¾. *Ibid. p.* 35.

General date,[1] 9 April. Documents relating to the Case of Dame or Lady Margaret Boulton, Widow.

Copies of Petition of Lady Bolton, showing that:—

Petitioner is widow of Sir Richard Bolton, late Lord Chancellor of Ireland. When he died £5,600 was due to him for his pension and salary, as appears by several debentures given out to her by the Auditor General under orders from the Duke of Ormond. Sir Richard left petitioner these arrears as a jointure, having left his former wife's children his real estate. They have never been paid. She is poor and in debt and may have to finish her days in prison. She prays for these arrears or an allowance. *P.* ¾, *p.* ½, *and p.* ½. *Three drafts substantially the same. All Endd. S.P. Ireland* 307, 18.

Further Petition of the Same, showing that:—

By an agreement bearing date 30 Nov., 1623, the petitioner was after the death of her first husband, Luke Netterville, to enjoy the town and lands of Corballies, "Ballentra," Palmerstone, and other rents and profits in the co. Dublin mentioned in the deed. The late usurped power seized on this jointure, petitioner's second husband, an Englishman and a Protestant, being then in possession of them. Petitioner was penniless, and has had for years to live on the charity of some good Christians in England. She prays for restoration and for arrears of her jointure. *P.* ½. *Underwritten with—*

Order, dated 24 Oct., &c., as in foregoing cases, referring the petition to Lord Chancellor Eustace. *Also with—*

(1) *See* also under date 17 May, 1661.

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Report by the Lord Chancellor on the foregoing Petition.

Recommends that it be granted. *P.* ½. *Signed. In all, p.* 1. *S.P. Ireland* 307, 21.

Further Petition of Lady Margaret Boulton to the King, showing that:—

In consequence of the Lord Chancellor of Ireland's recommendation, the King by an order, dated 1 Nov. last, ordered that petitioner should be restored to her jointure of Corballies, Balltray, Killcragh [Kilcrea] and Palmerstown [*see foregoing*], with a rent charge of £32 issuing out of other lands legally conveyed and assured to her by deed of jointure bearing date 1623 whereof she was possessed till outed by the usurper. The execution of this letter has been retarded by a King's letter of 14 January last, obtained by Dame Ann, relict of Sir Symon Harcourt. Dame Ann pretends that the late King bestowed these lands on her and her son, Sir Philip, whereas her pretended interest is by colour of an ordinance of Parliament which sat in the year 1648, and "who" erected the High Commission Court, by which the late King lost his life.

Petitioner has done nothing to forfeit her rights, and prays that the order given to her may be executed. *P* ¾. *S.P. Ireland* 307, 22. Also a similiar petition substantially the same. *P.* ½. *Endd. Ibid.* 23.

The King to the Lords Justices for Dame Margaret Boulton.

Dame Margaret says by petition that she has not been able to enjoy her jointure as directed by our letters of 1 Nov. last, but that Sir Symon Harcourt's widow and son, pretending a letter of ours of 14 January last, occupy the lands which she lays claim to for her jointure. You shall examine the case, and if you find her petition accurate, re-instate her, notwithstanding any order concerning Sir Symon Harcourt's widow and son. *P.* ¾. Dated 9 April, 1661. *S.P. Dom. Signet Office IV. p.* 556.

This concludes the documents relating to this case.

9 April. Dublin.

Sir Paul Davys to Secretary Nicholas.

I thank you for what you tell me regarding Sir James Shaen's effort to be made Secretary of State here. It is strange that he should attempt to be appointed, and I do not think it would be welcome to many who sit at the Council Board. Having prevented Sir James Shaen from going further, the Duke of Ormond advises me to compound with Sir Philip Mainwaring. I expect the easier terms from him in that his grant dates from 26 years ago,

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in the time of the Earl of Strafford, and that during all that time "excepting the times of the late usurpers, when my fingers were not defiled with their dispatches," I bore all the burden of discharging the duties of that position. *P.* ½. (*Hol.*). *Add. Endd. S.P. Ireland* 307, 24.

9 April. Waterford. CERTIFICATE by the MAYOR and SHERIFFS of WATERFORD.

They certify that George Cawdron, late an inhabitant of Waterford, who is now in prison for considerable debts, was not an extravagant man. He was always modest in apparel, sober in conversation and "a diligent, painful person." He has suffered much by men of war at sea and by unfaithful servants and factors. *P.* ½. *Parchment, signed by* Thomas Dancer, Mayor, *and by* Samuel Brinsmead *and* Samuel Brown, Sheriffs. *Ibid.* 25.

Also similar certificate of same date. *Signed by* Richard Paver. *P.* ¾. *Parchment. Ibid.* 26.

10 April. Dublin. SIR PAUL DAVYS to SECRETARY NICHOLAS.

I thank you for the favour shown me by his Majesty (on your recommendation and that of the Duke of Ormond) in the matter of Wespelstown [Westpalstown]. I shall always remember it with gratitude. *P.* ½. (*Hol.*). *Add. Endd. Ibid.* 27.

10 April. Whitehall. The KING to the LORDS JUSTICES for RICHARD ARCHDEKIN, of Banneballenlogh [Ballenlough], co. Kilkenny.

Lord Moore and Aungier, reporting on his, Archdekin's, petition, certify, with commendation by the Marquis of Ormond, that Peter Archdekin, of Rathpatrick and Richard, his son, accepted the peace of 1648, and were loyal. Richard was a student at the beginning of the wars, and never did anything against the Government. He shall be forthwith restored to the lands whereof he was dispossessed by the usurped power. Clauses for execution. *Pp.* 2. *S.P. Dom. Signet Office IV. pp.* 558-60.

10 April. SAME for NICHOLAS SHORTALL, of Clara, co. Kilkenny.

Upon Shortall's petition, the Marquis of Ormond and Lords Moore and Angier report and testify that he was an infant in 1641, a ward to Edward Butler, and behaved peaceably. In 1648, he came of age, and enlisted in our army, fighting as a captain of horse till the end of the war, when he went abroad and served under the Duke of York. He shall be restored to his lands of Upper Claragh Agher, Kilmogarry [Kilmagar or Kilmaganny ?] and elsewhere in the co. Kilkenny. Clauses for execution. *Pp.* 2. *Ibid. pp.* 577-79.

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10 April. Whitehall. The KING to the LORDS JUSTICES for WILLIAM KEALY.

Kealy is son and heir of James Kealy of Gowran, co. Kilkenny. On the petition of William and his brother Thomas, the Marquis of Ormond and Lords Moore and Aungier report and testify that the father and two sons have always been loyal to the Royal cause and helped it with money. William and Thomas shall be restored to all the lands &c. in Gowran and Kilkenny City of which they were, or their father was, possessed on 23 Oct., 1641, notwithstanding the fact that they took lands in Connaught. Clauses for execution (*see above p.* 179 *note*). *Pp.* 2½. *S.P. Dom. Signet Office IV.* 579-82.

Same. SAME for MAJOR HENRY O'NEILE.

Directing that he be licensed to transport 60,000-lb. of wool to France, Flanders, and other parts beyond the seas, contrary to the Acts of 11 and 18 Elizabeth, which are still in force. This licence to run till 1 May, 1662. *Pp.* 1½. *Ibid. p.* 588-9.

11 April. Whitehall. SAME for LIEUT.-COL. WM. WALKER.

Recommending him for favourable treatment in the matter of his estate to be set out to him for service and arrears. *P.* ½. *Ibid. p.* 646-7.

Same. SAME for ANNE, the distressed relict of COL. JOHN CONNOCKE.

A pension of £30 a year to be settled on her for her life. *P.* ⅓. *Ibid. p.* 555.

Same. The SAME for THADY CARROLL.

Reports from Lords Moore and Loftus and others show that Carroll's father, John, was loyal to the Royal cause. Thady was also inoffensive. In spite of the fact that he took lands in Connaught he shall be restored to his lands of Ballyknockan, Shynroane, Leamivanan [Leame Ivanan : Leap Castle, King's Co.], and any other lands whereof John Carroll was dispossessed by the late usurped power. Clauses for execution. *P.* ½. *Ibid. p.* 613-4.

Same. SAME for JAMES BULSTRED.

Appointing him comptroller of the customs of Drogheda with all fees. *P.* ⅓. *Ibid. p.* 551-552.

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12 April. The KING to the LORDS JUSTICES for the COMMISSIONERS OF SETTLEMENT IN IRELAND.

By the instructions of February 19, for carrying out the Declaration for Settlement in Ireland of November last we named certain persons to be Commissioners for executing the Declaration. They were the Earl of Cork, High Treasurer of Ireland, Viscount Conway and Killuta [Kilulta], Lord Valentia, Vice Treasurer and Receiver-General of Ireland, Viscount Montgomery, Master of the Ordnance there, Viscount Massereene, Lords Angier, Kingston, and Collooney, Sir James Barry, Lord Chief Justice of the Chief Place, James Donelan, Lord Chief Justice of the Common Pleas, John Bysse, Lord Chief Baron of the Exchequer, Sir Henry Tichborne, Sir Robert Forth, Sir James Ware, Thomas Piggott, Master of the Wards, Cols. Arthur Hill and Marcus Trevor, Sir Francis Hamilton, Kt. and Bt., Sir Arthur Forbes, Bt., Sir Oliver St. George, Kt. and Bt., Sir John Cole, Kt. and Bt., Sir Richard Lane, Kt. and Bt., Sir Paul Davys, Sir Geo. Lane, Sir John Stephens, Sir Wm. Dumvile, Attorney-General, Sir Allen Broderick, Esq., Surveyor-General, Sir Audley Mervin, Chief Sergeant-at-Law, John Temple, Solicitor-General, Col. John Ponsonby, Henry Warren, and Dudley Cooley, Sergeant-Major George Rawden, Dr. Wm. Petty, James Cuffe, and Thos. Browne. Any five of or more of them—of whom two must be two of the following:—Lord Valentia, Barry, Donelan, Bysse, Ware, the Attorney and the Solicitor [*see* above]—were to form a *quorum*. We understand you have issued commissions accordingly. It was found inexpedient that all our Council at Law should be commissioners, as their services are likely to be required in several cases before the Commissions in which we may have an interest. We in consequence of this ordered on 13 March that the name of the Attorney and Solicitor General should be left out. Sir Henry Tichborne and George Rawdon, Esq., shall have their places on the body of seven, of whom two must be present as stated above. You shall issue a new commission accordingly. *Pp.* 2¾. *S.P. Dom. Signet Office IV.* 547-550.

Also additional instructions in accordance with the foregoing letter. *P.* ½. *Ibid.* 550-551.

Also drafts of all or part of the foregoing letter and additional instructions. *Pp.* 3½ *and p.* ½. *Endd. S.P. Ireland* 307, 28 *and* 29.

13 April. Whitehall. SAME concerning HENRY CROMWELL'S LANDS in IRELAND.

By our letters of 6 Nov., 1660, we declared that no difference should be made between Henry Cromwell and the other adventurers as to the land he held in Ireland; and by our letters of 28 Feb., 1661, we granted that his lands in the baronies of Dunboyne and Ratoath, near Portumna, set out to him for £7,039 16*s.* 8*d.* arrears of soldiers' pay and [his lands] in the Co. Tipperary, possessed by him on 7 May, 1659, should be confirmed to him and his heirs. We know that his interest as an adventurer was derived from

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several persons attainted by the last Act called an "Act of Attainder," &c., and have granted to some of our subjects the lands of such attainted persons. The lands set out to Henry Cromwell shall be excepted out of these grants; and there shall also be excepted out of them so much land as has, or may come to him in payment for an assignment of £850. If any of the lands he holds have not been confirmed to him, he may purchase them with any of the considerations hereby allowed to him. *P.* 1. *S.P. Dom. Signet Office IV. pp.* 573-4.

13 April. Whitehall. The KING to the LORDS JUSTICES for THEOBALD BUTLER, of Bansagh, co. Tipperary.

The Earl of Drogheda and Lord Kingston report, certifying his loyalty and that of [his father?] Pierce Butler. Pierce was entrusted by Ormond with the command of his own regiment of horse, and was made Provost Marshal of Munster. Pierce adhered to our cause till he died in Ireton's siege of Limerick in 1652. Theobald shall be restored to any lands whereof he or his father was deprived by the usurped power. Clauses for execution. *Pp.* 2½. *Ibid. pp.* 574-577.

Same. SAME for SIR WM. PETTY.

We wish to draw a distinction between those officers who served us at the time of our Restoration and up to 30 November, 1660, and those who resigned or were dismissed before that date. We are told that Sir Wm. Petty even in April, 1659, "expressed his real endeavours for our service" and withdrew himself when Ludlow seized the Government by authority of the remnant of the House of Commons. He is a man of "integrity and prudence" and has been knighted. He shall be deemed to have been in our army up to 30 November, 1660. He and John Petty and James Naper shall receive a pardon under our Broad Seal. *Pp.* 1¼. *Ibid.* 651-2.

General date 15 April. DOCUMENTS RELATING TO THE CASE OF THE EARL OF ORRERY.

The Earl of Orrery to Secretary Nicholas.

I desire the matter of reprizes to be settled as quickly as may be. I have quitted my interest in the lands in co. Dublin and Uppercross barony, which were formerly held by the Church. I know the King's intentions in regard to them, and could not obstruct so pious a work. I have got Sir James Shaen to resign to me 1,600 acres in and near Malahide, which the King had appointed for his reprizes, and have fixed on some other lands (amounting in all to

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some 4,500 acres) for my reprisals. I say no more, except to send you the enclosed for the King's signature and to ask you to be kind to the bearer, my nephew, Dr. Robert Gorge. *P.* 1. *Add. Endd. in* Nicholas' *hand. S.P. Ireland* 307, 29. *Enclosing—*

Draft of the King to the Attorney or Solicitor-General for Roger, Earl of Orrery.

The Earl is entitled to several reprizes for divers lands, &c., in Ireland, confirmed to him and those from whom he claims on account of the restoration of other persons to such lands. We directed in March last that these lands should be reprised in the barony of Uppercross, co. Dublin. We are now informed by the Earl that the forfeited lands in that barony were anciently held of the Archbishopric of Dublin, and are now, according to our favourable intentions to the church, to be restored to the Archbishopric of Dublin, and he has accordingly surrendered these lands into our hands. You shall, for compensation to him, prepare a bill for our signature for granting to him the manors, lands, &c., of Corballis, Clogheran [Cloghran], Halt Stacoale, Coolock, Drynam [Drinan], with a parcel of land, Rahoulke [Rahulk], Ballincastle with St. Doolagh's, Kingsaley [Kinsaley], Sutton, Mayne [Maynetown ?], Portmarnock, with a grange and Carrickhill, Seatown, Newtown, Little Carborough, part of Balliboudon [Ballyboden ?], Palmerstown, Jordanstown, and Cottrell's, Mabstown [Mabestown], Feltrum [Feltrim] with "Everknok" and Malahide with Huntstown—all in the co. Dublin —or so much of the same as amount to 5,011 acres. He shall have these in as full a manner as any of his predecessors. You shall insert a clause compelling him, upon pain of forfeiture, to deliver up to us, within six months of the passing of the said grant, reprisable lands of a value equal to the lands which he is getting. Pp. 1½ and pp. 2½. Two drafts slightly differing. Ibid. 29, 1 *and* 2.

This concludes the documents relating to this case.

16 April. Whitehall. [Secretary Nicholas] to the Lords Justices.

The King is grateful for your suggestion as to the licence to sell ale and beer and hopes that you will stay all grants whose execution may be of prejudice to his service or revenue. You should consider some means to compensate Sir Robert Stewart if the grant of licences to sell ale and beer may not be given him without evil results. *P.* 1. *Entry. S.P. Ireland* 308, *p.* 36.

Same. Same to Same.

Letters for adding two Commissioners in place of Mr. Attorney and Mr. Solicitor are sent. The King went hence yesterday and will be back to-morrow. Then begins the ceremony of the Knights of the Bath, which will take some two or three days. On Saturday the new Lords are to be created with ceremony. We are highly satisfied with the results of the elections for Parliament here. *P.* ⅔. *Ibid. p.* 37.

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General date 17 April.

DOCUMENTS RELATING TO THE CASE OF EDWARD, EARL OF MEATH.

Petition of Edward, Earl of Meath, to the King, showing that :—

Before the rebellion in Ireland petitioner was by grant from Charles II., Master of the Game for the province of Leinster and was *custos rotulorum* for co. Dublin. He had the wardship of Tute of Tutestown, co. Westmeath, worth £1,300 a year granted him by King Charles I., was captain of a troop of horse under the Great Seal of Ireland with direction for his employment in that post in the next establishment drawn up for Ireland, was captain of an "old" foot company and a Privy Councillor for Ireland; "of all of which offices and places he was deprived. He was sequestered in England and Ireland, decimated, imprisoned in the Tower and Warwick Castle, accused of high treason for sending men, arms, and ammunition into England for the service of his late Majesty. He was employed by the Marquis of Ormond, a Commissioner from Ireland to his said Majesty at Oxford, for which employment there is due to him almost £800, and for his personal entertainment as an officer of horse and foot about £4,000."

He prays for restoration to his former places and for such marks of the King's favour as will enable him to do his Majesty further service. *P.* ½. *Endd. in* Nicholas' *hand* :—"Warrant to the Lord General for a troop of horse for the Earl of Meath and a foot company for his second son, Edward Birbson [Brabazon]. *S.P. Ireland* 307, 30. [*Undated, but put with next for convenience.*]

The King to the Lords Justices for Edward, Earl of Meath.

On February 1, we directed you to pass the castle, manor, &c., of Loughlinstown, co. Dublin, being lands late belonging to James Goodman, to Edward, Earl of Meath, at a rent of 10*s.* a year payable at Easter and Michaelmas. These were lately granted in fee by the usurped powers to others at a rent of £25 a year. This sum was lately levied by our Commissioners on the undertenants of the said lands. You have not executed our orders in this matter, but have lately given *custodium* of the lands to some other person. You shall execute those orders at once, in spite of anything which you may have from us to the contrary. The rents of £25 shall be put out of charge. *P.* 1. Dated 8 April, Whitehall. *S.P. Dom. Signet Office IV.* 527-8.

And draft of same. *S.P. Ireland* 307, 31.

The Lords Justices and Council to Secretary Nicholas.

The King's letter of the 8th inst., concerning the passing of a grant to the Earl of Meath, of Loughlinstown, co. Dublin, has reached us. We could not grant him this land inasmuch as it was before given by grant under the Great Seal to Sir William Domvile, the King's Attorney-General, by his letters dated 6 April. The facts are as follows :—

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In Hilary term last the King's Attorney-General (the said lands of Loughlinstown being then in the King's hands and untenanted) petitioned the Court of Exchequer for a *custodium* of them. This was granted to him, reserving the old rent of £9 8*s*. 4*d*. Afterwards there came a letter from the King to us to grant this town and lands to the Earl of Meath at 10*s*. per annum. This grant was so made that, as the judges informed us at the Council Board, letters patents given in execution of it would have been void. We informed the Earl of this rather than trouble you about it. As the King has not in his letters of 8 April taken any notice of that information, we now send you copy of our letter to him of 22 March in which it is contained.

On the 25th of March, his Majesty, by letters, directed us to pass the fee farm of the premises to Sir William Domvile, Kt., the King's Attorney-General, at a rent of £9 8*s*. 4*d*. with a clause of *non obstante* as to previous grants. This express command we have obeyed. The rent now reserved is almost twenty times as much as the Earl was to pay. *Pp.* 1½. Dated 17 April, 1661. *Signed* by the three Lord Justices and by the Archbishop of Armagh, Lord Massereene, R. Coote, Lord Caulfield, Sir Henry Tichborne, Sir Francis Hamilton, Arthur Forbes, Thos. Pigott, John Bysse and Arthur Hill. *Endd. S.P. Ireland* 307, 32.

This concludes the documents relating to this case.

17 April. Whitehall. The KING to the LORDS JUSTICES for RICHARD O'DONOVAN and MOROGH O'DONOVAN, his son and heir.

Capt. Morogh adhered to the peace of 1648, and served under the Marquis of Ormond, in command of a troop of horse, being commissioned by the Marquis on 19 Feb., 16$\frac{48}{50}$. He raised this troop at his own cost and was one of the last to lay down arms. He and his brother Daniel (*see next page*), then served four years in Flanders, as captains under the deceased Earl of Rocester [Rochester] upon our summons to our subjects then in Lavossee directing them to do so, dated 30 November, 1656, and after Rochester's death under Lord Newbrough. Capt. Daniel is still in our service in Lord Newbrough's regiment and Lord Newbrough certifies that both captains have served loyally and well. They shall be restored to all lands of which they were dispossessed by the late power. *Pp.* 2. *S.P. Dom. Signet Office IV.* 602-4.

18 April. Whitehall. SAME to SAME for CAPTAIN TEIG MCMAHON, of Clenagh, co. Clare.

The report of the Earl of Drogheda and Lord Kingston on McMahon's petition and certificates of the Dukes of York and Ormond and the Earls of Castlehaven, Clancarty, &c., show that Mathew and Terlagh, petitioner's father and grandfather, were loyal to the Royal cause. Terlagh served under the Earl of Thomond

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(Lord Inchiquin) in 1661, and Mathew and Terlagh both accepted the peace of 1648. Petitioner himself was innocent of rebellion. He [? Terlagh] raised a troop of horse after 1648, to serve with the Duke of Ormond and served till the usurper prevailed. After that Terlagh went abroad, served our cause, and died in 1657, after the attempt at Mardyke. His wife took lands in Clare from the usurped powers, but this should not conclude her husband or her son, the present petitioner. He shall be restored to all the lands, castles, manors, &c., of which he, his father, mother, grandfather, or the tenants of any of them, were dispossessed by the usurped power. Clauses for execution. *Pp.* 1¾. *S.P. Dom. Signet Office V. pp.* 117-118.

18 April. Whitehall. The KING to the LORDS JUSTICES for COLONEL DONOUGH MACGULLICUDDY.

The Marquis of Ormond and Lords Moore and Kingston report testifying to his loyalty. He adhered to the peace of 1648, and raised a foot company under Lord Inchiquin. Later, when our cause declined in Ireland, he brought together five or six companies of his "kinsmen and friends" and commanded them as a regiment under the Earl of Clancarty. When Clancarty had to surrender on terms, Col. Macgullicuddy went abroad and remained there till our Restoration. He shall be restored to all the lands taken from him by the late usurped power. Clauses for execution (*see above p.* 179 *note*). *Pp.* 1¼. *Ibid. IV. pp.* 619-620.

Same. SAME for PHILIP PURCELL, of Ballyfoyle, co. Kilkenny.

The Earl of Drogheda and Lord Aungier testify to Purcell's loyalty during the late troubles in Ireland. His eldest son was killed in Ireland and his only other son served in Flanders. He shall be treated as an innocent person within our Declaration, notwithstanding the fact that he took lands in Connaught, and have the lands of "Knocknitanivalligh," Knocknicupoge [Knocknaguppoge], "Knockincarrigan," and Gray [Graig] with their appurtenances now in the King's hands, and all the lands of which he was dispossessed by the late usurped power. Clauses for execution. *Pp.* 2. *Ibid. pp.* 594-5.[1]

Same. SAME for DANIEL O'DONOVAN, of Castle O'Donovan, co. Cork.

From the report of the Marquis of Ormond, the Earl of Drogheda and Lord Kingston on O'Donovan's petition it appears that Daniel O'Donovan, petitioner's father, submitted to the peace of 1648. The Marquis of Ormond commissioned him to raise two companies of foot. One was commanded by petitioner's brother, Morogh O'Donovan, who was killed at the siege of Dublin, and the other, under Richard O'Donovan, retired into foreign parts, where he, too, was killed in our service. The O'Donovan property

(1) Mr. Gratton Flood has kindly helped me with these identifications.

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was ravaged by the usurper and two of its castles blown up with gunpowder. Daniel, the son of Daniel aforesaid, shall be restored to all lands, &c., of which his father was deprived by the late power. Clauses for execution (*see above p.* 179 *note*). *Pp.* 2. *S.P. Dom. Signet Office IV. pp.* 600-602.

19 April. Whitehall. **The King to the Lords Justices for Securities for the commissioned officers for service before 1649.**

Several of the commissioned officers who served in Ireland before 5 June, 1649, complain that the security given them in Irish land by our Declaration for 12*s.* 6*d.* in the £1 for their arrears is weakened by particular grants given by us. They ask that this security be given to no one else and that no preference be given to any one of their number. You shall execute no further grants of ours which come within that security till a survey of the whole has been taken. The payment of 12*s.* 6*d.* in the £1 to officers who served before 5 June, 1649, and have not since been paid, shall be a first charge on this land and no grants shall be passed weakening their security till they have been paid. *Pp.* 2. *Ibid.* 570-571.

Same. The Same concerning the Lord Chancellor.

As the Lord Chancellor is now Lord Justice you shall appoint a fit person to take the place usually held by Irish Lord Chancellor as Speaker of the Irish House of Peers. *P.* ½. *Ibid.* 555.
Also draft of same. *P.* ⅔. *S.P. Ireland* 307, 88.

20 April. Whitehall. The Same for Sir Thomas Blake.

Sir Valentine Blake, as was shown by the reports, &c., of the Marquis of Ormond and the Earl of Peterborough, was loyal to our father's cause. He adhered to the peaces of 1646 and 1648. He was imprisoned for his loyalty and died soon after the usurped power was established in Ireland. Sir Thomas, his son, was an innocent youth when the Irish rebellion broke out and was at school in France. Being called home he was forced to sue to the usurper for part of his estate for the relief of his family; but the usurper gave him only some remote and unprofitable land. He shall be restored to all the lands, liberties, &c., in Galway, Athenry, and elsewhere, which should have descended to him from Sir Valentine. Clauses for execution. *P.* 1. *S.P. Dom. Signet Office IV. pp.* 611-2.

[20 April.] [Secretary Nicholas] to the Lords Justices.

I have acquainted the King with the contents of your lordship's letter of the 3rd instant and, as you advised therein, sent you a letter empowering you to appoint whom you will to fill that place,

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which I would have despatched by the last post, "but that the King returned not from Windsor till Wednesday night, besides a hurry of business which the Coronation on Tuesday and a great creation of noblemen this afternoon both drawn upon me." *P.* ½. *Endd. with date. S.P. Ireland* 307, 84.

20 April. Council Chamber, Dublin. The Lords Justices and Council to Secretary Nicholas.

We lately received the King's letters, dated 14 February, ordering as forthwith to renew all such leases as the Lords of Louth had from the King's predecessors of all lands, rectories, and impropriations which shall be in the King's dispose. We also received letters dated 14 March, requiring grants to be made from his Majesty for 99 years to Col. William Legge, Groom of the King's Bedchamber, of the same lands formerly leased in the time of the late Queen Elizabeth to the then Lord of Louth (some of which leases are now expired) and those same things so directed by his Majesty to be passed to the said Col. Legge are earnestly pressed by the Lord of Louth to be granted to him upon the letters of 14 February.

The Archbishop of Armagh has also laid a petition before us reciting the favours bestowed on the Church by the Kings James I. and Charles I. and observing that letters come for passing away impropriations and lands held from the Church. His lordship prayed that these letters might not be executed till the Church be heard, and his Majesty's further pleasure be known. We send the petition and should like to know his Majesty's pleasure therein. The answer given by the King in February last to the Commissioners of the Convention of Ireland who asked that the impropriations which fell in to the King might be granted to the Church at the old rent, was that the Lord Deputy and Council were to consider the matter.

As the livings in Ireland are generally small, except where King James I. or King Charles I. had endowed them, and as there is now an unrivalled opportunity of providing for the Church in such a way as to encourage persons "eminent in learning and piety" and "painful and orthodox divines" to live and reside upon its livings, we hope that it will be improved by reserving for the Church all the tithes and impropriations, &c., formally paid to the Church by estates which are or shall be restored to their former owners. This will advantage the Crown in rents, first fruits, &c., and will help to carry out the great work of Charles I. and James I.

The army in Dublin have cheerfully joined in an address to the King and we feel sure that the garrison in other parts of Ireland will join in it. *Pp.* 1½. *Signed by* the Lords Justices and six members of the Council. *Endd. Ibid.* 85.

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20 April. Dublin. The Earl of Mountrath to Secretary Nicholas.

Hearing that the King intended to appoint a Speaker for the House of Commons here, my Lord Orrery and I wrote to the Lord Chancellor of England asking him to move the King to leave the matter to the free election of the House in accordance with the established practice. We think such an arrangement would have satisfactory results "for such have been the endeavours of my Lord Orrery and myself in the elections that we are confident we shall be able to give His Majesty a good account of their proceedings in order to His Majesty's service, which, I may with confidence say, is our great ambition."

The address from the officers at headquarters, which goes with the public despatch to-day, was suggested and prosecuted by me. *P.* ¾. *Signed, and* with a well-preserved crest—arg. a chevron between three cootes, close, proper. *Endd. in* Nicholas' *hand. S.P. Ireland* 307, 36.

[20 April.] Loyal Address by the Lords Justices and Officers of the Dublin Headquarters to the King.

We wish to publicly manifest our loyalty in order to abate the "designs and practices of some unhappily yet remaining persons of debauched principles . . . . who might promise some success to themselves from the imaginary divisions among your good subjects." We hereby declare that we shall support your authority with our lives and fortune, "and improve our utmost circumspection industry and powers" to vanquish those who seek to undermine it. We thank you for the restoration of our estates and for giving us others, and for the re-establishment of the Church and Civil Government. 1 *large page, original parchment, with autograph signatures of the* Lords Justices, the Earl of Kildare, Lords Montgomery and Caulfield, *and the following officers* :—

R. Coote.
Francis Hamilton.
Robert Forte.
John Ponsonby.
John Honnor.
Edward Alleyn.
Ra. King.
Ed. Matthews.
William Tichborne.
Thos. Pigott.
Arthur Turnor.
Mer. Hart [?]
Wm. Meredyth.
Felix Long.
George Rawdon.
Wm. Flower.
A[?] Meredith.
James Robinson.
Paulet Phillips.
Wm. Warden.
Francis Willougby.
John Paine.
A. Molyneux.
F. Littell.
Donwall [?] Prothero.
Robt. Meredith.
John Campbell.
Arthur Usher.
Thos. Wedgwood.
Ed. Fortescue.
Joseph Mosse.
Theophilus Eaton.
Richard Buttle [Butler ?].
Fr. Foulke.
Simon Rugeley.
J. Esmond.

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Henry Tichborne.	Edw. Billingsley.
Arthur Forbes.	George Hopkins.
Theophilus Jones.	Adam Peare.
Abraham Yarner.	Edward Wood.
Randolph Clayton.	Thos. Barrington.
Arthur Hill.	Robt. Cook.
J. Brett.	Hen. Morton.
Ja. Cuffe.	Thos. Cheeke.
Fr. Clotworthy.	Robert Symon[?].
Thos. Conway.	John Olpherts.
Daniel Redman.	Sam. Molyneux.
Cary Dillon.	Francis Foulke.
Francis Boteler.	William Flood.

Endd. in Nicholas' *hand.* R[eceived] 29 April. *S.P. Ireland* 307, 37.

About 20 April. The Archbishop of Armagh to the King.

The Church of Ireland asked for remission of their 20th parts and first fruits for the time past, which suit your Majesty granted. The Church could not have paid these sums as they had received little or nothing for twenty years, "and where nothing is to be had even Kings lose their rights." The clergy are willing, in order that your Majesty should lose nothing, to settle an equal and universal tax of all ecclesiastical preferments in Ireland. A great many of them are altogether untaxed "and some are ludicrously taxed, so as to make them liable to the name of 20th parts, but rarely to first fruits." Such an equal and universal tax will treble your Majesty's ecclesiastical revenue in every way.

If your Majesty will impose the care of this work upon me in a regal visitation, I will charge or burden no man but myself in the execution thereof, and I shall make a precise list of all the patronages of the Crown which are now smothered, and in a great part usurped. I hope to make a perfect rental of all such impropriations as have either in former times been bestowed by your Royal father on the Church, or have been given it by yourself.

May I now say a word or two about Sir James Graham, whose near relation to me will excuse what I say whilst I keep within the bounds of modesty. "He seeth your Majesty's bounties thrown abroad like medals at a Coronation for those that can catch them; and whilst you are doing good to your persecutors he takes the boldness (with the good thief upon the Cross) to step in for himself, 'Lord remember me.' If his suffering hath been more than his acting, it was for want of power; not of loyal duty." He is, and will always prove himself, thoroughly loyal. I venture to recommend him and to ask that he may have dispatch so as to be back here to serve you in the approaching Parliament.

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"God preserve your Majesty long in health and happiness for the welfare of your kingdoms and the good of this Church, which is the incessant prayer of your Majesty's most loyal and obedient subject and servant J. ARMAGHANUS."

Pp. 1½. *Signed. Add. Endd in* Nicholas' *hand*:—R[eceived] 29 April. *S.P. Ireland* 307, 38.

24 April. The KING to the LORDS JUSTICES and MASTER of the COURT OF WARDS in IRELAND for CAPTAIN CHARLES HAMILTON.

Directing that he have the wardship of the body and estate of John FOX, of Ratheragh [Raghra], co. Longford, a minor. *P.* ¾. *S.P. Dom. Signet Office IV.* 604-5

25 April. Whitehall. SAME for a GENERAL PARDON.

The Earl of Orrery has asked us to grant letters patents pardoning certain persons. Although their cases may be covered by our Declaration of Nov. 30, 1660, you shall pass letters patents containing a free pardon to the following:—

Roger, Earl of Orrery.
Richard, Earl of Cork.
Richard, Earl of Barrymore.
John, Viscount Massereene.
Francis, Lord Shannon.
Wentworth, Earl of Kildare.
Henry, Earl of Thomond.
Arthur, Viscount Valentia.
Edward, Bishop of Killaloe.
John, Lord Kingston.
Capt. Robert Fitzgerald, brother of the Earl of Kildare.
Col. Cary Dillon.
Sir James Shaen.
Sir Thomas Harbert.
Sir Wm. Petty.
Sir Henry Tynt.
Sir Richard Osborne.
Capt. John Annesley.
Maurice Fenton, of Michelstown, co. Cork.
Capt. Peter Courtrop, of Courtstown, co. Cork.
Col. Richard Townsend, of Castlehaven.
Col. John Jephson, of Clonmeen.
Robert Boyle, Esq., brother of the Earl of Cork.
Sir Wm. Fenton.
Sir Boyle Maynard.
Sir Anthony Morgan.
Col. John Gorges.
Sir Thos. Stanley.
Richard, son of Lord Power.
Sir Arthur Denny.

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Capt. John Jephson, of Moyallo [Mallow].
Lieut.-Col. Nicholas Purdon, of Balliclough, co. Cork.
Col. Richard Kull, of Dromaveen [Dromaneen*].
Capt. John Gibbons, of Miltown.
Lieut. George Prater, of "Balliedrowne" [Ballynadrumny?*].
Lieut. Mark Weekes, of Kilbolan.
Capt. John Nicholls, of Kilbolan.
Cornet Robert Fowlke, of Ballivechenchy [Ballymarshenkin*].
Capt. John Wakeman, of Ayhndough [Aghadoe?].
Lieut. Richard Wakeham, of Walterstown.
Col. St. John Broderick, of Balliennan, co. Cork.
Capt. George Dillon, of Ardtully, co. Kerry.
Cornet Henry Bowreman, of Colleyney.
Thomas Bowreman, of "Gurreymagtenoge."
Wm. Halsey, of Waterford.
Thomas Welsted, of Denanstown, co. Cork.
Cornet John Gash, of Glanmore.
Capt. Walter Dawley, of "Balluduchroe."
Lieut. John Walker, of Carigurоinge [Carigrenan or Carigrohane].
John Blennerhasset, jun., of Ballycarthy.
Col. John Gifford, of Bolleugh [Ballyea*].
Wm. Hull, of Lemcon, Esq.
Col. John Lisnight, of Ardahurig [Arderrig*].
Boyle Smith, of Ballynatra [Ballinatray*].
Wm. Supple, of Aghadah.
Capt. Arthur Freake.
Pierce Power, of Carbyney [Currabinny*].
Redmond Barry, of Rathcormocke.
Wm. Fitzgerald, of Castleded [Castledod].
Lieut. Col. Henry Smithwick, of Shandrome [Shandrum].
Wm. Tynte, of Calthermane [Cahirmee or Cahermone*].
Col. Randell Clayton, of Moyallo [Mallow].
Edward Denny, Esq., of Castlelyons.
Wm. Hodder, Esq., of Coolemore.
John Hodder, Esq., of Bridgetown.
Capt. Andrew Ruddock, of , co. Cork.
Richard Covert, of Cork city.
Walter Cooper of the same.
Nicholas Brady, of Ballymorephilip.
John Stepney, of Kinsale, quartermaster.
John Cheyney, of Castlenir.
Capt. Richard Bernard, of Ramy [Rinny*].
Capt. Burnell.
Lieut. Roger Brettidge, of Castle Magner.
Quartermaster Wm. Weekes, of Kilbolan.
Capt. Wm. Cary, of Bullinpatrick [Ballymacpatrick*].
Lieut. Col. John Wydenham, of Castletown.
Capt. Edward Browne.

* These suggestions have been sent me by Mr. Flood.

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Major Richard Goodwin, of Kingsale.
Col. George Walters.
Capt. John Baker.
Col. Peter Wallis.
Col. Jerome Sankey.
James Morley.
Robert Murray.
Robert Goobin [Gookin].
Major Wm. King, of Hospital, co. Limerick.
Col. Ralph Wilson, of Limerick city.
Major Ingoldsby, of Ballybricken.
Capt. Ger. Fitzgerald, of Ballynard, co. Limerick.
Capt. Thomas Southwell, of Castle Matrar [Castlematrix?], co. Limerick.
Major Wm. Wade, of Limerick city.
Capt. Lewis Griffith, of Doonemoone [Doonmoon], co. Limerick.
Capt. Wm. Hartwell.
Mr. Wm. Yarwell.
Mr. Thomas Miller, of Limerick city.
Richard Burgh, of Drankeene [Drumkeen],co. Limerick.
Lieut. Patrick Dowdale, of Limerick.
Capt. John Mansell, of Bittall.
Lieut. John Odell, of Palace [Pallis].
Lieut. Charles Odell, of "Castlemcgury," co. Limerick.
Ensign Henry Byndone.
Ensign James Buntinge, of the said city of Limerick.
Nicholas Osborne, Esq., of Cappugh.
Capt. Wm. Hubbard, of Clough, co. Limerick.
Capt. Francis Shaen.
Capt. John Hallam.
Lieut. Col. Wm. Walker.
Capt. Thos. Mosse.
John Bosswell, gent.
Robert Dixon, Esq.
Capt. Joseph Deane.
Col. Henry Markham.
Col. Kempson.
James Knight.
Lieut.-Col. Francis Foulke, of Camphire, co. Waterford.
Dr. Robert Gorges.
Valentine Greatrakes, of Affane, co. Waterford.
Napier, of
Capt. John Bleverhasset [Blennerhasset], of Ballycarthy, co. Kerry.
Col. Henry Ingoldsby, of Cleanugh [Clenagh], co. Clare.
Col. John Ponsonby, of Kildalton, co. "Tipperary" [Kilkenny*].
Capt. George Purdon, of Ogenella [Ogonelloe*].
Capt. Thos. Cullen, of Ballycloghly.

* These suggestions have been sent to me by Mr. Flood.

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Cornet John Cooper, of Melicke [Meelick], co. Clare.
Col. Chas. Blunt, of Clonmell.
Lieut.-Col. Symon Eaton, of Ballineclough.
Capt. Thos. Wren, of Golmoylestown, co. Meath [Galmoylestown, co. Westmeath].
Cornet Gerald Rives, of "Carrignafeely."
Richard Chute, Esq., of Tullogure.
Henry Baker, of Castle Ify.
Henry Rogers, of , co. Kilkenny.
Major Soloman Canby, of , co. Tipperary.
Alexander Barrington, of the co. Wexford.
Adam Loftus, of Rathfarnham, co. Dublin.
Major Reade.
Major Daniel Redmond, of the co. Kilkenny.
Col. Wm. Warden, of Burntchurch, in the same.
Capt. Wm. Boulton, , co. Waterford.
Nicholas Everard, of Fethard, co. Tipperary.
Capt. Henry Nicholls, of co. Waterford.
Lieut.-Col. Wm. Purefoy, of , co. Clare.
Major Thomas Dancer.
Joseph Cuffe.
Capt. Joshua Boyle.
Thos. Percivall, Esq.
Henry Crafts, Esq.
Thomas Crosby, of Kerry.
Lieut. Col. Symon Fynch.
Robert Southwell, of Kingsale.
Gamaliel Walters, Esq.
Capt. Timothy Rutter, of Clelea.
Lieut.-Col. Lucas.
Cornet Myles.
Capt. John Rowell.
Hercules Langrish, of Drogheda.
Thomas Moore, of Asherne.
Cornet Pennyfeather.
Capt. Henry Thompson.
John Fitzgerald, of Dromanah [Dromana].
Quartermaster Edward Nicholas.

They shall have their pardons on the full terms of the Act of Parliament [Engl.] of 25 April, 1660, but no person who was of the guard of halberdiers at the time of the murder of Charles I. shall benefit by this grant. They shall have the lands which they or their predecessors in title, or their trustees or guardians had on 22 Oct., 1641, at the rents which were then reserved as well as the lands set out to any of them for their arrears of pay, or such lands as they have bought of any person secured by our Declaration [of Nov., 1660]. This grant of lands shall not defeat the restorations made by the Declaration; but persons mentioned herein shall receive reprisals if the Declaration makes it impossible to give them back their lands as herein prescribed. This pardon shall be enrolled in the acts of the Council and shall be favourably construed. You shall prepare an Act upon the Irish Parliament in accordance with it. *Pp.* 2. *S.P. Dom. Signet Office IV. pp.* 625-6.

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General date 26 April.

DOCUMENTS RELATING TO THE CASE OF THOMAS, VISCOUNT DILLON, OF COSTELLO.

Copy of Petition to the King of Viscount Dillon, showing that:—

On 16 March, 166⅔, the King ordered that the petitioner should be restored to his estate. He received no benefit and petitioned the King for relief. The Earl of Anglesey, the King's Vice-Treasurer in Ireland, was then directed to pay the petitioner £2,000 a year by monthly instalments till he should be restored to his estate. He has only received part of this, and, in consequence of the ruin of his estate in the usurper's time by the rebellion of Dudley Costello, he is much impoverished.

He prays for his arrears and other relief. *P.* ¾. *Endd. S.P. Ireland* 307, 39.

Further Petition of Same to Same, showing that:—

The late usurper caused petitioner's house of Balalahen [Ballylahen], to be garrisoned and afterwards fortified another place on his estate called Belahie [Bellahy]. This fort was called Fort Cromwell and was made with the timber, &c., on petitioner's land.

Petitioner prays for the governorship of this fort, with the usual perquisites. *P.* ½. *Ibid.* 40.

The King to the Lords Justices for Thomas, Viscount Dillon of "Costello and Gallen."

In our Declaration for settlement we decreed that the officers who were owed pay for service before 5 June, 1649, should be paid by houses and tenements forfeited in the walled towns and corporations of Ireland. Lord Dillon shall have his statement of arrears audited and shall be satisfied out of these houses in Dublin, or, failing that, in Drogheda or Galway. *P.* 1. Dated 26 April, at Court. *S.P. Dom. Signet Office IV. pp.* 561-2.

This concludes the documents relating to this case.

26 April. Whitehall.

The KING to the LORDS JUSTICES for RICHARD STEPHENS.

Stephens is in possession of several lands, &c., in Ireland and is in doubt whether they are confirmed to him by our Declaration of 30 November last, as they were not set out to him for service in Ireland. He shall be allowed to purchase such lands as he now possesses with such adventurers' arrears, reprisals and other interests as he owns and as are satisfiable thereupon. None of these lands shall be set out to other persons till he has had the refusal of them on these terms. He shall have a grant of them by patents. *Pp.* 1¼. *S.P. Dom. Signet Office IV. pp.* 582-3.

Same.

SAME for CAPT. JOHN BAKER.

Capt. Baker is possessed of certain lands in the barony of Drohalloe [Duhallow], co. Cork, to which the proprietors are restorable in consequence of our Declaration. You shall show him so much favour

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as is consistent with our said Declaration and shall reprize him upon the ploughland of Currihire in the South Liberty of the city of Cork; and the ploughland of Cooleroe, the two Ballymeads and Killneclowna [Kilnacloona], in the barony of Barrett's, co. Cork. *Other details. Pp.* 1½. *S.P. Dom. Signet Office IV. pp.* 583-4.

27 April. to JOHN BOSWELL.

Yours of the 20th I got on the 27th. Thank you for your care in that business. Please ask Lord Valentia to move the King to write letters granting the Feodar's place in all Leinster to Edward Rotherham, and that they be sent over by the next post—the grant being in as large a form as that to Anthony Doppin or any former holder of the post. If you do not send this letter by the next post, there is no coming for you into Ireland. If you let Lord Valentia know my earnestness he will get the thing done. *Other details. P.* 1. *Signed* "Your cousin"—*with signature obliterated. Add. Endd. S.P. Ireland* 307, 1.

29 April. The KING to the LORDS JUSTICES for JOHN BISSE, Chief Justice of the Court of Exchequer in Ireland.

The yearly salary payable to him is much too small to make up to him for the loss of his "ordinary practice at the Bar." You shall make up his salary in that place to £600 a year. *P.* ⅔. *S.P. Dom. Signet Office IV.* 607-8.

Same. The KING to VISCOUNT WENMAN.

Dispensing with his attendance at the Irish Parliament which has been summoned to meet on May 8 and giving him the right to vote by proxy. *P.* ⅓. *Ibid. p.* 614.

30 April. Whitehall. The KING to the LORDS JUSTICES for SIR RICHARD BUTLER, BT., of Polestowne [Paulstown], co. Kilkenny.

The Duke of Ormond reports that Sir Richard's father, Sir Walter, adhered to the peace of 1648 and served our cause faithfully. Sir Richard took no lands in Connaught and is restorable. He shall be restored to the lands which the attainder of Ireton has placed in our possession with the rents from 24 June last. The lands are Polestown [or "Potestown" for Paulstown?], Jordanstown, Garriduffe, Shankill and others. Clauses for execution. *P.* 1. *Ibid.* 629.

Same. [SECRETARY NICHOLAS] to the LORDS JUSTICES and COUNCIL.

The festivities have prevented me from answering your letters. The King has agreed that letters from or to the Lords Justices,

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Secretary of Ireland, Scoutmaster, or Auditor-General, or Clerk of the Council, shall go free. You shall keep in force the King's letters of 31 Jan. last for stay of all grants of land till the Duke of York's settlement be effected; and you shall print as directions from yourselves, but not as his instructions, such parts of the Instructions to you as you think should be publicly known. *P.* 1. *Entry. S.P. Ireland* 308, *p.* 38.

30 April. Whitehall. [Secretary Nicholas] to the Lord Chancellor.

As to your question whether a person outlawed can be summoned to Parliament, the Committee [of the Privy Council] appointed to consider Irish affairs think that it depends upon whether they were outlawed after judgment or only by default; and they do not know which these people were. The King holds firm to have all grants staid according to his letters of 9 and 15 March, till all persons to be restored and reprized according to the Declaration be satisfied. It is thought that it will be enough to add Sir Henry Tichborne and Mr. Rawden to the *Quorum* [for executing the Declaration] but more will be added if you think well. The question of granting the impropriations to the clergy has not yet been discussed. The King, I am sure, will favour the clergy as his father and grandfather did. "I am sorry to understand that Adventurers and soldiers are like to have so much power in the approaching Parliament. I marvel how the King's letters of 9 and 15 March can have become known, but I expect there are some proling [prowling] persons here that give more intelligence into Ireland than is fit." I have sent you the King's letters desiring that no grant be passed of lands till His Majesty be informed of the value thereof. I thank you for your kindness in the matter of my grant. *Pp.* 1½. *Entry. Ibid. pp.* 39-40.

Same. [Same] to the Lords Justices.

Similar in substance to foregoing letters from same. The King says he will write no more letters in favour of anyone as he has written in favour of the Earl of Clancarthy. The Coronation festivities are described in the London prints. *Details. P.* ¾. *Ibid. p.* 41.

Same. [Same] to the Earl of Orrery.

I hope your gout will be well before the Parliament meets. Thank you for your help in my affair. I hear the King has approved the letters in my favour, and that the affair now rests with the Lord Chancellor. The elections are most satisfactory. The Treaty with Holland goes but slowly. The fanatics are quiet and many of Cromwell's leaders are going abroad. The King of Spain is said to be dying and will leave an infant heir. I send the King's letters authorizing you to propose a Speaker for the House of Commons. *P.* 1. *Ibid. p.* 42.

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30 April. Whitehall. The KING to the LORD JUSTICES for COL. SANDYS.

Directing that in spite of the illness which has kept him in England, Col. Sandys have a foot company in Ireland. *P.* ½. *S.P. Dom. Signet Office IV. p.* 611.

[About same.] PETITION of COL. ROBERT SANDYS to the KING, showing that:—

Petitioner was of the Privy Chamber to King Charles I., and served in the Scots' wars and afterwards in Ireland and in England as a Colonel of horse and foot. He lost an arm and is constantly in pain therefrom, and has been imprisoned for his loyalty.

He prays for the constableship of the fort of Lease [Leix] in the Queen's County. *P.* ½. *Endd. S.P. Ireland* 307, 42.

April. DRAFTS of the KING to the LORDS JUSTICES.

Authorising them to appoint a Speaker of the House of Commons for the Parliament which is to meet on May 8. *P.* ½ *and p.* ⅔. *Two drafts. Endd. Ibid.* 43 *and* 44.

Same. SAME to SAME.

Refers to the King's Instructions of 19 Feb., 1661, for carrying out the Royal Declaration of 30 Nov., 1660, and to the letters of 11 March, 1661, by which it was directed that the Attorney and Solicitor-General should not be of the commission for executing them. The *quorum* shall contain at least two of the following, viz.:—Viscount Valentia, Sir James Barry now Lord Santry, James Donelan, Esq., John Bisse, Esq., Sir James Ware, Kt., Sir Henry Tichborne, Kt., George Rawdon, Esq., Lords Montgomery and Collooney, Sir Francis Hamilton, Sir Arthur Forbes, Col. Arthur Hill, and Sir Theophilus Jones. They shall re-issue the commission accordingly. *Pp.* 3½. *Ibid.* 45.

Same. SAME.

Reposing great trust in Henry Howard, Esq., we have given him the right to appoint all officers of the Excise of all kinds in Munster and its towns. You shall authorise those whom he appoints to act as the officers of the Excise there during their good behaviour, and to take the usual perquisites. *Pp.* 1¾. *Endd. Ibid.* 46.

Same. SAME for the MARCHIONESS OF ANTRIM.

Directing that, in answer to her petition, certain rents of part of her husband's estate in Antrim, which are at present undisposed of and in the King's hands, be paid to her for her support. *P.* ½. *Endd. Ibid.* 47.

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General date End April.

DOCUMENTS RELATING TO THE CASE OF COL. FOWKES AND THE EARL OF CLANBRASSIL.

The Lords Justices and Council to Secretary Nicholas.

A petition has been presented at this Board in the name of the Countess of Clanbrazill, showing that she hears that the wardship of her son, Henry, Earl of Clanbrazill, has been granted to Lieut. Col. Fowkes. She states the services of her father and grandfather. The grandfather raised and maintained a troop of horse and regiment of foot in the late King's service, and the father served under the Marquis of Ormond, for which his estate was sequestered for 6½ years by the late usurper. The father had to compound for his estate in £9,455, and had to purchase that composition by paying over £6,000 into the usurper's Treasury. She was informed that the King would count [? *i.e.* approve] that grant, and asked that a stop might be put to the patent granting the wardship of her son to Fowkes.

In view of the services of the family to the Crown we transmit the Countess' petition for further order by the King. *Pp.* 1½. Dated 4 Feb. 166⅘, Dublin Castle. *Signed by* the Lords Justices and Council. *Endd. S.P. Ireland* 306, 48. *Followed by*—

Sign Manual to the Justices and Council for granting the wardship and marriage of Henry, Earl of Clanbrazill, as above to Francis Foulke or Fowkes. *Pp.* 1½. Dated April 1661, Whitehall. *Ibid.* 49.

Copy of Petition of Lady Clanbrazill to the Lords Justices and Council.

In substance as stated in last but one. *P.* 1. *Ibid.* 50.

This concludes the documents relating to this case.

MAY, 1661.

3 May. Whitehall.

The KING to the LORDS JUSTICES for BARBARA BARRETT.

We understand that the Duke [then Marquis] of Ormond granted the wardship of the body and lands of William, the son of Sir Andrew Barrett, to his widow, Dame Barbara. We commend to you Heyward St. Leger, who has married Dame Barbara and claims the wardship. Treat him as you think just. *P.* ½. *S.P. Dom. Signet Office IV.* 628.

Latest date 6 May.

NOTES in NICHOLAS' hand of the PROCEEDINGS at the COMMITTEE [of the PRIVY COUNCIL] for IRISH AFFAIRS.

29 April. A person outlawed for treason ought not to be summoned to sit in Parliament.

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Where it is an outlawry after judgment for treason [?] they cannot [?] sit.

[C.B.] referred to I.C B. [Irish Council Board?] for their opinion.[1]

[Choice of] a Speaker for the House of Commons left to the King.

Printing the instructions sent for Ireland.

Other details [partly in shorthand] regarding the publication of certain names.

Letters relating to the service of Ireland signed by or directed to the Lords Justices or the Clerk of the Council shall go free.

2 May. To get a list of the captains for Ireland, to be copied, that we may see the names of the 60 captains for Ireland.

Field Officers' commissions to be passed under the seal. [Question:] Whether we shall meddle with petitions in matters which are by the general rule referred to the Commissioners for executing the Declaration unless it be a case of injustice by the Commissioners; whether we shall determine any original petition for matters already under cognizance or determining [of the Council here] or send them to the Justices and Council there [*i.e.* in Ireland].

To bring in all papers concerning impropriations in Ireland.

There are about 200 English families, Protestants, planted in Ballinrobe, Galway and Mayo, from Gloucester and Liverpool. Lord Massereene and Sir Audley Mervin to determine [some question as to the validity of?] their leases and of those of the adventurers, which come from Papists.

Geo. Cawdron's [?] petition (he being in prison) referred to the Chief Baron and Barons of the Exchequer.

Lady Lucas and Lord Gormanstown's case considered. She is left to her remedy at law.

Col. Wm. Leg is committed [?] to the Duke of York.

The Marquis of Antrim's case to be referred to the I.C.B. [Irish Council Board].

4 May. Col. Wm. Hamilton's petition. Question whether "towns and corporations" includes cities (in security for officers' arrears).

The innocent Catholics of Ireland to be restored [to their position on] 23 Oct. [1641]. *Other details* on the question of Catholic restoration. All Irish merchants may return and traffic in Ireland.[2]

Other details.

6 May. Richard Legg's petition to be referred to the Lords Justices.

Marchioness of Clanricarde to be restored to her jointure and the daughter to her inheritance according to the Declaration. Question of first fruits and twentieths. First fruits to be paid in the usual way, giving the incumbents fit time for payment.

(1) A possible reading, *see* the letter above p. 322 dealing with this question. The whole document is partly written in shorthand.

(2) *See* letter of the King to the Lords Justices concerning Trade in Ireland of 22 May, 1661, below.

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There shall be a stop of grants of any kind which diminish the King's revenue in Ireland until a "state" of that revenue is drawn up.

Question of the Earl of Orrery's draft for lands in recompense of lands in the barony of Uppercross. *Other details. Pp.* 3. *Badly written and with some shorthand abbreviations. Endd. S.P. Ireland* 307, 51.

6 May. DRAFT of a PROXY of HUGH, LORD COLERAINE.

Authorising [*name left blank*] to vote for him in the Irish Parliament. He is too ill to go to Ireland. *P.* 1. *Endd. Ibid.* 52.

7 May. Whitehall. [SECRETARY NICHOLAS] to the EARL OF ORRERY.

I thank you cordially for your efforts in the matter of my letters from the King, and hope I shall be able to derive some benefit from them by next Michaelmas. The King has directed that a Committee of the Privy Council consider all matters which come here dealing with any questions settled by the Declaration and Instructions before they are sent to him. They have considered accordingly your recent request that certain lands formerly ordered you for reprisals out of the co. Dublin and barony of Uppercross should be exchanged; but they say they cannot decide the matter, not knowing whether the man who is owner of the said lands is forfeited or no, and they think best that you should be assigned for recompense to forfeited lands in general, without naming any particular lands. The young Duke of Cambridge, the Duke of York's son, died two days ago. *P.* 1. *Entry. S.P. Ireland* 38, *p.* 44.

Same. [SAME] to LORD CHANCELLOR EUSTACE.

I thank you for your favour in the matter of my grant. I send you the letter which is directed to the Receiver-General and hope that I may benefit from it by Allhollantide, as I have a great debt to pay here in England at Michaelmas next. The King thinks highly of you and I hope your fears of intrigue against you are without foundation. Parliament is about to sit here. The fanatics are active, but will not, I think, move unless at the instigation of the Papists. *P.* 1. *Entry. Ibid. p.* 45.

Same. [SAME] to the EARL OF MOUNTRATH.

Thanks him for his favours. *P.* ½. *Ibid. p.* 46.

Same. The KING to the LORDS JUSTICES.

We have appointed a Board or Committee who shall weigh and consider all Irish warrants and grants before they pass the sign manual. You shall send us an account of the whole estate of the

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Marquis of Antrim, his brother Alexander MacDonnell, and Sir James MacDonnell, all lying within the baronies of Dunluce, Clanconnell, Cary and Glenarm in Antrim, with a note of the encumbrances thereon, of the parts assigned to adventurers or soldiers, and what part is still unencumbered. Suffer no grant to pass for or concerning any of these premises until you have received our instructions, given after receipt of your report. *P.* ½. *S.P. Dom. Signet Office IV.* 612-3.

And draft of same. *P.* 1. *Endd. S.P. Ireland* 307, 53.

7 May. Whitehall. The KING to the LORDS JUSTICES for ULSTER KING OF ARMS.

Ordering him to rectify all abuses and confusions which have occurred in Ireland during the late troubles in matters of arms and heraldry. *P.* ½. *S.P. Dom. Signet Office IV. p.* 616.

Same. SAME for the EARL OF CORK.

We are informed that the Earl's father owned certain parcels of land and two mills adjoining Dublin Castle which were demised for certain years to Alderman Barry and afterwards sold to the Earl of Strafford and thrown into the garden of the castle. The term of years is said to have expired and the land to be descended to Richard, Earl of Cork. You shall consider the matter and if you find the facts true, compensate the Earl as you think just. *P.* ½. *Ibid. p.* 631.

9 May. Westminster. SUSANNA DURHAM to SECRETARY NICHOLAS.

Protests her poverty, and asks that her husband, Major James Durham, may have the salary of a captain out of the Irish Treasury till the first company fall vacant there. *P.* ½. *Signed. Endd. S.P. Ireland* 307, 54.

10 May. The KING to the LORDS JUSTICES concerning GRANTS.

All grants and fiats to pass the Great Seal in Ireland shall be drawn up by the Attorney-General for Ireland and by him only. *P.* ½. *S.P. Dom. Signet Office IV.* 641-2.

Same. SAME for the EARLS OF MEATH, DONEGALL and DROGHEDA.

Directing that these Earls be appointed members of the Commission for executing the Declaration, and that their names be entered accordingly in the Commission and Instructions. *P.* ½. *Ibid. pp.* 653-4.

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11 May. [Dublin.] LORD CHANCELLOR EUSTACE to SECRETARY NICHOLAS.

The conflict between the Houses "which was like to break our Parliament" is appeased. I send you my speech at their first meeting, which you may care to show the King. I have been asked to have it printed, but have not assented to the proposal. *P.* ½. · (*Hol.*). *Endd. in* Nicholas' *hand. S.P. Ireland* 307, 55. *Enclosing—*

The Lord Chancellor of Ireland's speech in Parliament.

We, the Lords Justices, are very pleased to see, after all the tumults which have prevailed for many years in Ireland, this assembly met together "in this orderly and beutifull manner," the Fathers of the Church restored to their rights and stations, the Judges and Counsellors as at the beginning. Two years ago we should not have believed one who told us that so much would come to pass. You are now called to advise with King Charles on the urgent affairs of the Kingdom. The National Convention did good work, but a Parliament was needed to complete it. The Commissioners from the Convention themselves asked the King that this should be done, and "thus this phœnix was contented to be consumed with the ardent affection which it bore to its country that, out of the ashes thereof, another more excellent than itself might spring as at this day."

The first object in calling this Parliament is to settle what is every man's meum *and* tuum. *The state of affairs in Ireland is such that hardly any man can say "This land is my own." Men's minds are seldom quiet until their estates are settled. The law says that the freehold can never be in abeyance. It is, however, often so at present in Ireland, and being disturbed by the law must be settled by the law.*

The first men to be assured in their just possessions are the adventurers. I say just, because just treatment of these must be the basis of the settlement "For when there was no visible means for the relief or recovery of almost lost Ireland, when the northern rebels were rampant in the field, and like a land-flood carried all before them, when the town of Tredah [Drogheda], which was the only bulwark between us and them, was besieged with 20,000 *of them; when Dublin, the metropolitan city of this Kingdom, was threatened with a siege and the whole land as it were in a flame round about us, when we could hear nothing but the rattling of drums, the sound of trumpets, the neighing and trampling of horses, and the noise of cannons, when a common destruction threatened every Englishman in this kingdom, when we could hear in every place the word of command given 'Kill, kill,' and no difference made of age or sex," then these noble adventurers opened their purses and sent us relief. They must therefore be justly treated.*

The next class to be settled is the soldiers who adventured their lives in our service, and especially those worthies called the 49 *men who stood in the breach until they were seconded out of England by the forces which came from thence. Special regard must be had of*

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them, as they underwent the brunt and fury of the rebels. The next class of people to be remembered are the old Protestant and innocent Papists. Their rights are to be inquired into, for rights, as the law says, cannot die.

If Naboth's vineyard should fall into any man's lot, it had been better for him to be without it. We must not rob Peter to pay Paul, as the common saying is. Your duty is suum cuique tribuere. *The King has shown how this is to be done by his Declaration, but the Declaration must, as a rough-hewn stone, be polished and fitted.*

The King, as you will remember, either granted or referred to the Lords Justices every one of the twenty-three requests which the General Convention put forward. He granted them more than they desired, and has given up his escheats and forfeited lands to the nation, not even reserving forests, chases and parks. Lastly he has granted us a Parliament, which gives great additional value to his other concessions. This Parliament is to begin on the same day as the Parliament of England, as if to show that the King takes an equal care of both kingdoms—even as Royal Dido said to Aeneas "Tros Tirius-que mihi nullo discrimine agetur."

The King has also given his revenue certain and casual in Ireland for the maintenance of the army, which he might have done without a Parliament. Lastly he has sent us £20,000 *and* £30,000 *out of his privy purse for the maintenance of the army. This he might have done without a Parliament.*

The Lords Justices are conforming the army to the establishment sent from England, and have disbanded a whole regiment of dragoons and officers. They have reduced forty troops of horse to thirty, and 106 *foot companies to sixty-six. They have disbanded* 1,650 *private soldiers, which will be a great ease to the country, but there are* 23 *months' arrears due to the Army, whereof eight months' since the King's restoration. We must now think what we are to give to the King in return for the bounty he has shown. You know whose saying it is—That to whom much is given from them much is expected. The King has given and forgiven us much more than we deserve. He has forgiven many of his open enemies "in a high measure to the amazement of the world and the great regret of his best and most loyal subjects." He has forgiven you the arrears of rent due to him for the period of his banishment, which could not be acquitted by payments made to the usurper, as the Judges will tell you. Render unto Cæsar the things that are Cæsar's. Other details. Pp.* 13½. *Endd. S.P. Ireland* 307, 55*a*.

11 May. Whitehall. The KING to the LORDS JUSTICES for LORD MOUNTGARRETT.

Lord Mountgarrett complains to us of several grants made on behalf of Henry, Earl of Thomond and others since our Declaration which may prevent him from enjoying our favour under such Declaration. He shall not suffer by such grants and shall have back all his lands, reprisals being given to adventurers and soldiers. *P.* ¼. *S.P. Dom. Signet Office IV.* 623.

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About 13 May. COPY of PETITION of SIR PAUL DAVIS or DAVYS, KT., to the KING, showing that :—

He held the position of Clerk to the Irish Council by patents granted to him about thirty years ago by the late King, and afterwards served honourably in Ireland.

When the Marquis of Ormond left the country in 1647, petitioner was expelled by the usurper; and remained ejected until the Restoration. Petitioner has since worked hard in the King's service. During his ejectment he suffered much from poverty.

He prays for a grant of the office to himself and his son, William Davis, whom he has trained up to serve in the office. *P.* ¾. *Endd. S.P. Ireland* 307, 56.

13 May. Whitehall. The KING to the LORDS JUSTICES for SIR PAUL DAVIS.

Sir Paul Davis has served us long and loyally as Clerk of the Irish Council. He shall be appointed by you "Principal Secretary of State and Keeper of the Signet and Privy Seal of the Kingdom of Ireland," with a stipend of £200 a year and with the £100 a year added thereto by the establishment of Charles I. and with the usual perquisites: the grant to take effect immediately after the death of Sir Philip Mainwaring. He shall still keep his office of Clerk to the Council. So soon as Sir Philip dies, Sir Paul Davis shall be sworn and admitted by you to be of our Council in Ireland, with the precedence which Sir Philip has. *Pp.* 1½. *S.P. Dom. Signet Office IV.* 617-8.

And draft of same dated by Nicholas. *Pp.* 2½. *Endd. S.P. Ireland* 307, 57.

Same. SAME for SIR GEORGE HAMILTON.

Sir George Hamilton, Kt. and Bt., purchased an interest in all our mines, and our father and ourself were informed of the advantage which accrued to the Crown by his great industry in perfecting and maintaining the said mines. He lost much through the mines during the late troubles. The patent for them never expired. In 1648 we granted Sir George a fresh lease of the mines with full privileges to enter upon and work them until a grant could be made to him under the Great Seal. King Charles I. also gave him a letter for the same in 1648. On the faith of these letters Sir George went to Ireland, collected miners and produced lead for the use of our army. He was overcome by the usurping power and lost much. He shall now have a grant of all our mines royal in Munster with all mills, tools, &c., thereto attached in a place called Kritekendericke or Donallye [Dunalley]. He shall have them in as full a way as he had before, pending the passing to him of a grant under the Great Seal. *P.* 1. *S.P. Dom. Signet Office IV.* 621-2.

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14 May. The KING to the LORDS JUSTICES for the EARL OF CORK.

Directing that he have the command of the first troop of horse that falls vacant in Ireland. King Charles I. by letters of the 26 April, 1644, made him a similar grant. *P.* ⅓. *S.P. Dom. Signet Office IV. pp.* 630-31.

Before 15 May. REPORT by the MARQUIS OF ORMOND and the EARL OF ANGLESEY on the CASE of LORD GORMANSTOWN and SIR EDWARD and LADY SUTTON.

They think that Lord Gormanstown should be directed to pay £1,500 to Lady Sutton, as relict of Sir Thomas Lucas, £100 now, £200 from the rents of the lands in the King's hands payable at Lady Day and in May, 1661, and the rest secured on "the Nobber" or some other part of the Gormanstown estate. When these terms have been agreed upon Sir Edward and Lady Sutton should assign over all their interest in that estate to Lord Gormanstown. *P.* ½. *Signed. (Hol.). Endd. in* Nicholas' *hand.* R[eceived] 15 May, 1661. *S.P. Ireland* 307, 58.

16 May. The KING to the LORDS JUSTICES for LIEUT.-COL. WHEELER.

Directing that Col. Wheeler shall not be prejudiced in the matter of his employments in Ireland by reason of his attending in England on the King's business. *P.* ½. *S.P. Dom. Signet Office IV. pp.* 649-650.

General date 17 May. DOCUMENTS RELATING TO THE CASE OF MARGARET LADY BOULTON OR BOLTON.

Copy of Petition of Lady Ann, relict of Sir Symon Harcourt, and of Sir Philip, son and heir of Sir Simon Harcourt, showing that:—

Sir Symon was slain in service against the Irish rebels. King Charles I. directed that, in recognition of his services, his widow and son should be given an estate in Ireland. The Lords Justices did settle on these the house and lands of Corballis, co. Dublin, formerly owned by Luke Netterville, who was in open rebellion against the King. Lady Boulton, who married Netterville, is now claiming the estate, concealing her name of Netterville, and your Majesty has referred her petition to the Chief Justices and Chief Baron in England.

Petitioners pray that they may have the benefit of the terms of the Declaration, and that the Lords Justices and Council may settle any differences that may exist. *P.* ½. Before 14 May. *Endd. S.P. Ireland* 307, 59.

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Copy of Report of Sir Robert Foster, Sir Orlando Bridgman and Sir Mathew Hale, on Dame Margaret Bolton's Case.

They have considered the case and heard both parties and their counsel. They think that there is no evidence of a grant to Sir Symon or his lady by Charles I. They recommend that the question be referred to the Lord Chancellor of Ireland. *P.* ¾. Dated 14 May. *S.P. Ireland* 307, 60.

The King to the Lord Chancellor of Ireland for "Lady Boulton."

The Chief Justices of the King's Bench, and of the Common Pleas and the Chief Baron of the Exchequer in England differ as to a point referred to them in the matter of Dame Margaret Boulton's petition. You shall summon the same judges in Ireland or any two of them and by their judgment settle the matter. These judges shall meet at your house in Dublin within fifteen days of your receiving this letter. If you find no reason to do otherwise, you shall forthwith put into execution our order of 12 Nov., in favour of Lady Boulton. *P.* ¼. Dated 17 May. *S.P. Dom. Signet Office IV. p* 633.

This concludes the documents relating to this case.

17 May. The Lord Chancellor to Secretary Nicholas.

I received your letter of the 7th to-day and shall take care to attend to the matter.

I also heard by your letter of the 11th of the King's desire to marry the Princess of Portugal "and this night our great guns, firebones, and ringing of bells will testify the people's joy.

I also send you a resolution of both House which took its rise in the Lords and was agreed to without dissent in the Commons. It shows how well we like the church government established by a law here. Nevertheless I fear a rupture between both Houses and pray God to avert it. The enclosed order made by the House of Commons occasioned a hot dispute at the Council Board, but I, thinking it was intended as a further pressing upon his Majesty to transmit the bill touching the oath of supremacy hither, opposed it mainly, and at last prevailed that no such commission should issue. The Declaration for settling the several interests in the kingdom will, I fear, make a great division amongst us, some being so great [?] for it that they will have it pass *in terminis* [whilst] others [are] for modelling it anew. And they who are most for it do offer the alterations in the inclosed to be added to it. I mean the Earls of Ossery [Orrery?] and Mountrath and others. I received the paper even now since I began to write this letter.

"In a word it is the design of some to break the Declaration to pieces, and of others to make an idol of it. *Sed medio tutissimus ibis.*" *Pp.* 1½. (*Hol.*). *Add. Endd. S.P. Ireland* 307, 61. ***Enclosing*:—**

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(1) *Copy of order of the Irish House of Commons.*

Appointing a committee to approach the Lords Justices with regard to the administration of the oath of allegiance (prescribed by the Act of James I.) and the oath of supremacy which is established by the Act of Queen Elizabeth. [*See House of Commons Journals (Ireland) for this date.*] *Dated* 15 *May. P.* ½. *S.P. Ireland* 307, 61*a*.

(2) *Suggestions by the Earl of Mountrath and others concerning Declaration for settlement of interests in Ireland.*

That those concerned in the doubling ordinance may be satisfied only their principal money in lands for it, according to the rates set down in the first act.

That there be twenty-four "phanatiques" excepted as to estates and no more, and that their estates and the lands by the doubling ordinance may be disposed of as shall be agreed on by the King and the present Parliament to the uses following :—

Half of the estates of excepted persons shall be disposed of for the enlargement of the security of arrears before the year 1649.

The other half of the same towards such of the Protestants of this Kingdom as the King and Parliament shall judge have suffered and merited most in the King's service in Ireland.

Half of the lands obtained by altering the regulations of the doubling ordinance to go for enlargement of reprisals and half to be applied to pious uses.

All lands set out possessed and enjoyed by false admeasurement forgeries, perjuries, false debentures, false certificates, or concealments to be unalterably annexed to the Crown for the defraying of his Majesty's charge and ease of this Kingdom.

All statutes, judgments, recognizances, mortgages, conveyances, &c., belonging to a Papist in Ireland to be void, except such as shall be allowed by the present Parliament.

A bill to be drawn for confirming the Declaration with the former exceptions and limitations, together with such part of the instructions as empower the Commissioners to act and execute the Declaration.

The qualification for judging innocent and restorable persons and the instructions for securing of the Protestants in those lands they purchased in the province of Connaught and co. of Clare in the decrees of transplanted persons [*to be inserted ?*]

The clause in the instructions concerning the engagements to be left out.

A promise for securing of such grants made unto eminent persons as have passed the great seal by his now Majesty's authority in Ireland.

A limitation of time for judging claims within which all are to be concluded or for ever after excluded. Pp. 1⅛. *Ibid.* 61*b*.

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(3) *Print of Declaration of the Lords and Commons of Ireland in Parliament assembled concerning Ecclesiastical Government and Book of Common Prayer.*

Though the Government of the Church by Archbishops and Bishops and the Book of Common Prayer are both settled and established by the law of the land, divers fanatics do not hesitate to deprave the one and to speak irreverently of the other. The recent confusions and long intermission of justice may be used as a pretended excuse by these persons. We declare our intention to countenance and support them by all fair and lawful means and order all persons to conform to them. Magistrates, civil and ecclesiastical, and officers and ministers of justice shall proceed against the contemners of the said Government or Common Prayer Book by all means at their disposal. P. ½. *With order, dated May* 17, *that this order be read by the several ministers in and about Dublin on next Sunday before sermon, and that all ministers throughout this kingdom read it the next Sunday after it comes into their hands. In all, p.* ½. *Dated* 17 *May, Dublin. Printed at Dublin by Wm. Bladen by special order. S.P. Ireland* 307, 61*c*.

18 May. Dublin. The Earl of Mountrath to Secretary Nicholas.

I have received yours of the 7th and am grateful for your kindness. A Speaker of the House of Commons has been chosen. I think you know his (Sir Audley Mervin's) abilities. I am glad to say the members of Parliament do as well here as yours do in England, and hope this will prove a happy Parliament for the Church and Kingdom. The address presented by the officers of the army has been subscribed to by officers and soldiers from all parts, with great cheerfulness and unanimity; and you will by this post have an address from the militia of this city.

Bells, "bonefires" and ordnance are attesting the public joy about the news of the King's intended marriage. The Houses of Parliament have ordered the King's and Lord Chancellor's speeches to be printed, thinking they should not keep them to themselves. *Pp.* 1¾. *Signed. Add. Endd. Ibid.* 62.

[18 May.] Petition of Sir John Stephens, Kt., to the King.

Petitioner's father was by patent under the Great Seal of Ireland customer and collector of the ports of Waterford and Ross, "with the creeks and members thereunto belonging," the patent being for two lives. Petitioner was joined in the patent and as he was then young, a Mr. Paul Stephens, was joined in it as trustee for him. He is now ready to surrender possession of these offices. Petitioner was outed by Cromwell, "being master of Waterford."

He prays for restoration to the post. *P.* ½. *Underwritten with—*

Order, dated 18 May, *signed by* Nicholas, referring the petition to the Duke of Ormond for a report upon which the King will act, *and endd. with—*

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REPORT by the DUKE OF ORMOND on the foregoing PETITION.

Suggesting that the petition be granted. *P.* ½. *Signed. In all, pp.* 1½. *S.P. Ireland* 307, 63.

18 May. Whitehall. [SECRETARY NICHOLAS] to LORD CHANCELLOR EUSTACE.

I am glad a prelate is chosen Speaker of the House of Peers. It argues well for the union of Church and State. Two days ago the Queen of Bohemia arrived here and is lodged in Drury House. The House of Commons have voted the Covenant to be burnt by the common hangman. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 47.

Same. [SAME] to the LORDS JUSTICES.

You will receive the King's opinion as to peers who have been outlawed for treason and their right of sitting in Parliament. I send you the blank proxies of those who have been excused from attending in Parliament and you may fill them up. *P.* ½. *Ibid. p.* 48.

20 May. CERTIFICATE by the DUKE OF ORMOND.

Sir Thomas Esmond adhered to the peace of 1646 with the Irish, and served the Royal cause with the men under him until compelled to lay down his arms. *P.* ⅔. *Signed. Endd. S.P. Ireland* 307, 64.

General date 21 May. DOCUMENTS RELATING TO THE CASE OF THE ANCIENT NATIVES, INHABITANTS OF WEXFORD.

Petition of the Ancient Inhabitants as above, showing that:—

Petitioners at the beginning of the rebellion in Ireland held firm to their ancient loyalty. They took no part in the troubles till they saw that some of the late King's ships revolted against him, "and finding their trade in England was interrupted by those in England that stood in opposition to the late King's authority, then and not sooner" they began to stand on their defence. In 1643 they armed some ships, and the Earl of Castlehaven and Viscount Taaffe were sent from England to ask for help in ships from them. They offered ten ships to the Lord Lieutenant. They embraced the peace concluded in 1648 and remained loyal when the late usurper arrived in Ireland with a large army in 1649, "and having upon the taking of Drogheda put all the inhabitants and soldiers to the sword that the example thereof might strike a terror into the inhabitants of other towns which he was soon after to besiege, he writ to the petitioners, Wexford being

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his next design, and courted them to submit to his authority, and to quit the Royal interest, and that they should enjoy all their possessions and fortunes and be used as well as any others under his power. Whose proposal the petitioners did reject," and sent to the Marquis of Ormond asking him to garrison that place of consequence, and to garrison it as he should think fit, and that they were ready to expose their lives and fortunes in its defence. The Marquis sent Sir Edmund Butler, to whom they submitted the whole town to fortifications, yet after all the resistance they could make, the usurper, having a great army by sea and land, was able to assault and enter the town on 9 Oct., 1649. The Governor and 1,500 men lost their lives, and the property of the inhabitants became pillage to the usurper's soldiers.

They pray for restoration to their old place and possessions in the town and country, especially as those of them who were able to fight departed and served the King in Scilly, Jersey, and foreign parts. *P.* 1. *S.P. Ireland* 307, 65.

Certificate of the Earl of Castlehaven and Audley and of Viscount Taaffe.

Certifying the facts stated as to the offer of ten ships by Waterford for the service of King Charles I. *P.* ½. Dated 21 May, 1661, *and signed by* the Earl of Castlehaven and Lord Taaffe. *Ibid.* 66.

List of the inhabitants of Wexford who were captains at sea, owners and adventurers in the frigates employed in the King's service in Brittany and Biscay since 1651 :—

Capt. Wm. O'Doran.
,, James Dillon.
,, Nicholas Jordan.
,, Richard Dillon.
,, Christopher Turner.
,, Francis Esmond.
,, Michael Kelly (killed in the service).
,, Nicholas French } died in the
,, Wm. Dake } service.
,, Jasper Hurleston.
,, Nicholas Hay.
,, George Codd.
,, Peter Teling (killed in service).
,, Nicholas Moraugh.
,, Robert Jordan.
,, Patrick Dillon.
,, George Dowdall.
Capt. Lawrence Sutton.
,, Patrick Taylor.
,, Paul Roch.
Major Thomas Griffin.
,, James Walsh.
,, Philip Dillon.
,, Bartholomew Dillon.
,, Christopher Bath.
,, Francis Dowd.
,, James French.
,, Mark Furlong.
,, John Keating.
,, James Keating.
,, Edward Keating.
,, Barnaby Stafford (killed in service).
,, Henry Dillon.
,, James Hyre.
,, Leonard Bolan.

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Capt. David Walsh.	Major Francis Beling.
,, Jas. Long.	,, James Dalton.
,, Peter Chivers.	,, John Farrell.
,, Edward Sinnott.	Philip Roch.
,, Martin Brice.	Richard Roch.
,, Hugh Kelly.	Mathew Roch.
,, Harman Hendrikson.	Alexander More (killed in service).
,, Christopher Dowdal (killed in the service).	Patrick Kelly.
,, Thomas Turner.	Jas. Esmond (died in service).
,, James Fitzgerald.	Capt. Ignatius Brett.
,, Garrett Hay (killed in service).	

P. ⅔. *Certified and dated by* Thos. Holder, judge, and Ben Johnson, registrar of the Court. *P.* 1. *S.P. Ireland* 307, 67.

This concludes the documents relating to this case.

22 May. Whitehall. The KING to the LORDS JUSTICES for DUDLEY PHILLIPS.

Directing that he have the first company of foot which shall fall vacant in Ireland, after the placing of those who have already got grants. *P.* ½. *S.P. Dom. Signet Office V.* 21-2.

22 May. Dublin. THOMAS JUXON to COL. THOMAS GOWER.

I have yours of the 11th and the Committee's of the 4th, which I have presented to the Lords Justices. But although you empower us to apply to Parliament it is thought fit by a very good friend that you should particularly address to the Parliament by a petition that will have a greater sense and influence over them. That it may be done to reach all our concernments and be worded so as to answer the objections that are made here, I have desired the said friend to draw a draft of one to send to you, yet I have some regrets for I have no money. "That is the oil to the wheels and a prevailing argument. If we were masters of that we could with very good profit lay out £100 or £200 and procure many advocates and you would thank us for so doing. I fear that it will be too late to move when we come to receive the intended money, for until the Act for Settlement be passed, we shall not be empowered to do it; and then the work will be over. T'is therefor now, very now, that we should clap byasses to the bowls to make them go steady."

Here is one Mr. Mosely, a counsellor, uncle to Judge Booth, that is a deficient adventurer. He is a discreet person. I desire he may be added to the Committee. Mr. Noell is here also and of the House. I leave it to you to put him in. I have no news, but rest,

Your humble servant, THOS. JUXON.

P. 1. (*Hol.*). *Add. S.P. Ireland* 307, 68.

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22 May. The Earl of Orrery to Secretary Nicholas.

I got yours of the 10th by the last post, and in it the King's letters directed to Lord Massereene and me for paying you £2,000 out of the first money we should secure from the adventurers and soldiers. I will see it is performed. No money will be paid till the Declaration becomes law, and that is now under consideration and I hope will ere long be effected. As soon as it is done I shall never let them rest till the money is paid.

I send you the Declaration which passed both Houses on the news of the King's intended marriage with the "daughter of Portugal." We had it passed as soon as the news reached us.

I send you a printed Declaration of both Houses which will let you see they are no fanatics as many of the Irish report them to be. I fully believe the King will find this Parliament faithful and loyal. *P.* 1 (*Hol.*). *Endd in* Nicholas' *hand. S.P. Ireland* 307, 69.

Same. Draft of Declaration of the Lords and Commons of Ireland assembled in Parliament concerning His Majesty's intended Match with the Infanta of Portugal.

Our joys have lately been so full that nothing was left to increase them but the confident expectation of seeing our happiness entailed upon prosperity "and that it was not in our eye how this could better be effected than by His Majesty's timely marriage to such a person as might bear some proportion with his high birth and Royal virtues as well as with his princely inclinations."

The Lords Justices have declared to us the most welcome news of His Majesty's intentions "to match with the Infanta of Portingall, a Princess whose beauties and excellencies are far renowned like the powers and arms of that ancient Crown, made famous by her triumphs in the remotest places of the habitable world."

We profess our infinite joy and satisfaction "first adoring and magnifying the Divine Majesty for the guidance of the Royal heart unto so happy a choice."

We shall loyally support the King in his Royal intentions, which promises blessings, not only upon his loyal subjects "but likewise upon such other parts of Christendom as envy [? enjoy] not the prosperity of His Majesty's Royal Crown and dignity." *P.* 1. *Endd. with—*

Order, dated 22 May, directing that the Declaration be sent to the Lords Justices and to the Duke of Ormond, desiring him to communicate it to the King. *In all, pp.* 1¼. *Endd. in* Nicholas' *hand. Ibid.* 70.

Same. The King to the Lords Justices concerning Trade in Ireland.

Divers of our subjects who formerly lived in Limerick, Galway, and our other towns were expelled therefrom, and are still, by

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reason only of their race and religion, prevented from returning there. This is bad for our trade, as it drives many of our traders abroad, where they engage in trade to the enrichment of foreign Princes. Those who had formerly the right to trade in these parts shall continue to have that right and "without making any national distinction between our subjects of that our kingdom or giving any interruption upon pretence of difference of judgment or opinion in matters of religion, but that all act and deal together as becometh our loyal and dutiful subjects." Mayors, sheriffs, and other officers of our cities, towns, and corporations shall take notice of this order, and it shall be published in the different cities, &c. *P.* ½. *S.P. Dom. Signet Office IV. p.* 634.

22 May. The KING to the LORDS JUSTICES for the POPISH LAWYERS in IRELAND.

Directing that, as was done by Charles I. in 1628, Popish lawyers be allowed to plead in the Irish law courts on taking the oath of Allegiance alone [*i.e.* without taking the oath of Supremacy]. *P.* ½. *Ibid. p.* 635.

Same. SAME to the LORDS JUSTICES for COL. WM. HAMILTON.

Col. Hamilton, in the name of the trustees appointed to manage the security for the payment of arrears for service before 5 June, 1649, petitions asking that the security allowed for the 12*s.* 6*d.* in the £1 may include not only the corporate towns but the cities. The trustees also wish that, as provided, the costs and charges of the Commissioners for executing the Declaration should be paid out of the mean profits of their security. The adventurers and officers and soldiers already in possession "have more than an equal benefit" by the present arrangement, and we are asked that all the officers should be assessed at an equal rate. We are also asked that certain officers who, though well deserving, are not included in their security, may not be comprehended therein until the petitioners receive 12*s.* 6*d.* in the £1 of their arrears, notwithstanding our Royal letters of 1 March last on behalf of several officers in the said letters mentioned, or on behalf of any other officers who have received arrears for service in Ireland since 1649. We declare that cities shall be included in "walled towns and corporations" as security for officers who served before 1649. You shall settle the question of costs by apportioning them equally among all the Adventurers, soldiers and officers. In regard to the question of whether the officers who served both before and after 1649 are entitled to arrears for both services, you shall see that our Declaration is strictly carried out. *P.* 1. *Ibid. pp.* 627-8.

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22 May. The KING to the LORDS JUSTICES for SIR JAMES GRAHAM.

Recommending him for promotion to the command of the first troop of horse or company of foot that shall fall vacant in Ireland. *P.* ½. *S.P. Dom, Signet Office IV. p.* 630.

23 May. Whitehall. SAME to SAME for ROBERT BICKERTON.

King James I. granted to Wm. Stanhawe on 3 July, 1610, a proportion of land called Canagolagh [Cannagola], co. Armagh. The said William employed his son Henry to improve this land; but owing to the fact that Henry did not fulfil the conditions of the grant, it was forfeited in the time of Charles I. As Henry had disbursed £600 thereon, Charles I. allowed him to keep a half of the land called Clentilew [Clontylew], and granted the other half to John Waldron, Esq., yet charged it with the payment of £600 to Henry Stanhawe in trust for William. After Henry Stanhawe's death, Wm. Stanhawe by deed dated 20 June, 1640, infeoffed his grandson, Robert Bickerton, of these lands. Since then William and John Stanhawe, the younger sons of William the elder, have released to Bickerton any interest they have in these premises; and £5 13*s.* 9*d.* is due to us out of the lands. You shall, for this debt, seize the lands into our hands, and, if you find that it can be done without injustice to any other person, grant them to Bickerton and his heirs for support of himself, his wife Amy, and their children. *P.* 1. *Ibid. V.* 1.

24 May. Whitehall. SAME to SAME for RICHARD JONES, son to VISCOUNT RANELAGH.

Directing that he be appointed Governor of Roscommon Castle, with a porter and thirty warders, which were the establishment allowed to his father, Lord Ranelagh, in the same post. *P.* ½. *Ibid.* 11.

24 May. The KING to the LORDS JUSTICES and MASTER of the COURT of WARDS for SIR EDWARD SUTTON, KT. and BT.

Directing that he have the wardship of the body and lands of Mathew Goodman, a minor. *P.* ½. *Ibid. Vol. IV. p.* 639.

25 May. Whitehall. SAME to SAME for SIR ARTHUR FORBES.

Directing that a grant be made to him of the town of Mullingar with the "backsides, commons and gardens thereunto belonging" in satisfaction of his arrears and as a reward for his loyalty. Papists who may own parts of the town to be reprized out of adjacent forfeited lands. *P.* ½. *Ibid. p.* 631.

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DRAFT of the KING to the LORDS JUSTICES for [SIR ARTHUR FORBES?].

Directing them to admit Sir Arthur Forbes to the Privy Council of Ireland. *P.* ½. *Undated. S.P. Ireland* 307, 71.

25 May. Whitehall. The KING to the LORDS JUSTICES for LORD AUNGIER.

Directing that he be granted those parts of the rebel lands in Westmeath and the King's Co., which were possessed by Sir Hardress Waller, Kt., Isaac Ewer, and John Nelson, of Clonegawne, who possessed themselves thereof under the authority of the usurped power. Waller, Ewer and Nelson have been excepted out of the general pardon. Nelson was a halberdier and at the murder of Charles I. If it should appear that the King have no power to give these lands away they shall give Lord Aungier others of equal value. Clauses for execution. *Pp.* 1⅓. *S.P. Dom. Signet Office IV. pp.* 632-3.

25 May. Copy of Order of the House of Commons appointing a Committee forthwith to prepare a bill for settling the respective interests in this Kingdom according to the Declaration of 30 Nov. last. *Without the names. P.* ½. *S.P. Ireland* 307, 72.

25 May. Whitehall. The KING to the LORDS JUSTICES for SUSANNA JOHNSON.

The Earl of Cork and others certify that John Johnson, being in 1649 lieutenant of horse under the Earl of Inchiquin, repaired with great hazard to the said Earl and divulged to him a plot for seizing Cork, Youghal and Kinsale, declaring for Cromwell and surprising the loyal part of the Earl's army. Having laid bare this design he was commanded to Tallow, where he seized three colonels and others, and frustrated that design. He was afterwards shot by Cromwell. You shall enter his wife Susanna on the civil list for a pension of £50 a year during her life. *P.* ½. *S.P. Dom. Signet Office IV. p.* 633.

DRAFT of SAME to SAME for SIR THEOPHILUS JONES.

Directing that he be made Governor of the counties of Meath and Wicklow. *P.* ½. *Ibid. p.* 634.
And draft of same. *P.* ½. *S.P. Ireland* 307, —.

27 May.[1] Dublin. The EARL OF ORRERY to SECRETARY NICHOLAS.

Before the sitting of the Parliament here we had prepared a Bill for confirming his Majesty's Declaration of 30 Nov. last, and the

(1) Thus the date at end of the letter; but at the head it is dated 27 May. The endorsement shows that it was received on June 3 in London. The enclosure, as will be observed, is dated 24 May.

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instructions for putting it in execution, but several considerable persons of both houses and of the Council, at several meetings with us, expressed their willingness to make some alterations. Those at last were by them reduced into writing, and they said that if the bill were drawn up with these amendments it would have their concurrence. Copy of the amendments is enclosed.

As, however, it made a breach in the King's and Council's Declaration, I moved that in duty and respect to the King, we might give him private notice of it, and know his commands therein, which ought to be our only rule. They assented to this, and we have therefore sent my Lord Aungier post to know the King's commands herein. I think I can get anything passed in the House of Commons that the King likes. There they only fear that if a breach be once made in the Declaration, many more may be made. I beg that if the King approves the paper sent over to him by the Lord Chancellor and Duke of Ormond (for whichever the King likes, I am confident will be done), such money as is payable by the Adventurers and "phanatticks" to his Majesty for his private purse or to reward those whom his Majesty shall assign it to for having suffered for him and served him (as is provided in the Declaration) be still charged on the lands of such doubling-ordinance men and such phanatticks as shall be excluded by the Act. Otherwise the King and his particular tenants will lose much. I am anxious to be vigilant in anything that may be for the King's advantage. I have the more reason to be careful of this as I see his own bounty makes no provision for himself. You may if you like show this letter to the King, for whose service it was written. *Pp.* 1¾. *Add. Endd. in* Nicholas' *hand. S.P Ireland* 307, 73. *Enclosing—*

Suggestions similar to those enclosed in the Lord Chancellor's letter of May 17, *q.v., with the following variations.*

In par. 2 "*thirty persons*" *is substituted for* "*twenty-four fanatics.*"

In par. 3 *the lands are divided not into two but into three—a third part to the King, a third for the enlargement of the security for arrears before* 1649, *and a third to endow* "*the College of Dublin*" *and free schools and to repair cathedral churches.*

To the clause for confirming grants to certain eminent persons are added the names—The Lord Chancellor, Sir George Lane, Sir Arthur Forbes, Sir Wm. Domvill, Col. Trevor, Sir Patrick Wemyss, and the Bishop of Cork.

These are the only changes which we think necessary in the Declaration. Pp. 1¾. Dated 24 May. *Endd. Ibid.* 73a.

[27 May.] Fragment of a note by Sec. Nicholas, giving part of the substance of the letter of the Earl of Orrery above. *P.* ½. *Ibid.* 74.

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General date

DOCUMENTS RELATING TO THE CASE OF VISCOUNT TAAFFE.

31 May. The King to the Lords Justices for Viscount Taaffe.

By ancient settlements between the Viscounts Taaffe and the grandfather of Christopher Taaffe, of Braganstown, co. Louth, Braganstown and other lands belonging to the said Christopher are to come to the said Lord Viscount after the death of the said Christopher, he having no heirs male of his body. By the like ancient settlements and entails between the ancestors of Viscount Taaffe and the grandfather of Theophilus Taaffe, of Cookstown, co. Louth, Cookstown and the rest of the estate of Theophilus Taaffe is to come to the said Lord Viscount after his death, he having no heirs male of the body. Christopher and Theophilus being both persons restorable by our Declaration, you shall re-settle Christopher, Theophilus and the Viscount Taaffe in the estates of Braganstown, Cookstown and their other estates near them, as carefully as you were formerly ordered to restore Viscount Taaffe to his estates. Clauses for reprisals and execution. *Pp.* 1½. Dated 31 May. *S.P. Dom. Signet Office IV. p.* 639-641.

And draft of same. *P.* 1. *Endd. S.P. Ireland* 307, 75.

Petition of Viscount Taaffe to the King.

States the facts stated above in so far as they relate to the lands of Braganstown. Prays for restoration to these lands. *P.* ½. *Underwritten with*—

Order, dated 13 May, 1661, referring this petition to the Committee for Irish Affairs. *P.* ½. *S.P. Ireland* 307, 76.

Same of Same.

States facts as stated in the letters above in regard to Cookstown. Prays that petitioner and Theophilus Taaffe be restored to these lands. *P.* ½. *Endd. Ibid.* 77.

This concludes the documents relating to this case.

About May COPY of the PETITION of HUGH KING, one of the DUCHESS OF YORK'S SERVANTS, to the KING, showing that :—

Petitioner long served the Duke of Gloucester and afterwards the Duke and Duchess of York. Petitioner's father and ancestors were seized of the lands of Bullymackenry [Ballymaconry ?] in the barony of Ballihency [Ballynahinch ?], co. Galway, valued at the time of Lord Strafford's survey at 400 profitable acres. Petitioner's father and himself have loyally served the King, petitioner serving beyond seas. Prays for restoration. *P.* ¾. *Followed by*—

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Copy of Certificate of Lords Muskerry, Dillon and Taaffe and of Sir Thomas Blake on the foregoing Petition.

Certifying the facts stated in foregoing. *P.* ½. *In all, pp.* 1¼. *S.P. Dom. Signet Office IV.* 726-7.

Petition of Edward Cooke[1] to the King, showing that:—

Petitioner was loyal to the late King and was removed first from his fellowship of St. John's College, Oxford, for refusing to recognise the authority of the present visitors there in 1648, and then from Trinity College, Dublin, the only hope of his subsistence. He has studied civil law, and prays for the post of Master in the Court of Chancery in Ireland. *P.* ½. *Endd. S.P. Ireland* 307, 78.

May. Whitehall. The King to the Lords Justices for Edward Cooke.

Directing that he have the place of Chief Craner in Dublin after the death of Thomas Hill, who is now in possession thereof, with all the privileges which Hill has. *P.* ¼. *S.P. Dom. Signet Office IV.* 624.

Same. Same for Sir George Lane.

We are informed that a great part of the estate of Philip Hore of Kilsalchan [Kilsallaghan], which we had granted to Sir George Lane, is withheld from him by Alderman Thos. Hooke, who claims by a grant from the late usurped power. Hooke, if not already paid, shall have the remedy presented by our Declaration. *P.* ½. *Ibid. p.* 627.

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1 June. The Archbishop of Armagh to Secretary Nicholas.

I received yours of April 18th, though it came slowly, in favour of Dr. Potter, for whom I not only accept your recommendation as a doubling of my obligation to him, but heartily give you thanks. We are as glad to find good men as they are to find good means. Yet, if you had made the same motion whilst we were in London you might have sweetened his condition to him for the present, though I hope it shall be as well for the future.

At our first sitting we had troubles in both Houses of Parliament, but by good management they are calmed and we sail now in a smooth sea. Both Houses are ready to do our Master the best service we can. If there is any contention it is who shall outgo one another in loyalty.

[1] Probably a different man from the Cooke named in next letter.

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We have established the liturgy, doctrines and discipline of the Church. We have condemned the Covenant engagement [and] negative oath. We have passed the four Bills you sent us and made a declaration of both Houses for the continuance of the Excise, Customs and new impost as they are, until they be settled by Act of Parliament, which is the next thing to be done. The clergy in Convocation have declared their willingness to offer eight subsidies, to be passed as soon as the Act is ready. They are poor in present, without churches, houses or money; yet it will make a certain revenue towards the defraying the necessary burthens of the kingdom.

The clergy were suitors to his Majesty for a remission of their 20th parts and first fruits, which he was pleased to grant them by the Duke of Ormond. Since, I hear it has been debated at the Committee for Irish Affairs and referred to the Lords Justices and Council. We now hear no more of it, nor do they. Delay may be very dangerous to the poor clergy.

The Lords Justices and Council have declared their judgments about forfeited and escheated impropriations; but we do not hear that any more is done upon their letter written by their unanimous consent.

I know you know "experimentally" what it is to be tired with business. The Earl of Strafford's memory is vindicated in the House of Peers and all acts against him and his friends rescinded. *P.* 1. (*Hol.*). *Add. Endd. S.P. Ireland* 307, 79.

Before 3 June. LORD CHANCELLOR EUSTACE to SECRETARY NICHOLAS.

I have yours of the 18th concerning outlawed lords. I shall do what I can in your concernment, but you will know that there can be no money until the Declaration be brought into an Act of Parliament. Both Houses have passed the same doom on the Covenant as you have there. It is to be burnt by the common hangman. Yesterday, upon a request of a committee from both Houses of Parliament, the Lords Justices adjourned the term, which of itself would have ended to-morrow. People are angry that the doors of justice, which would have closed of themselves to-morrow, should thus be clapt up and shut. The step has prevented the outlawed lords from sitting, as the King's letter of the day before had declared that they were not to sit till their outlawries were removed by course of law.

You will find what the House of Commons is doing by the enclosed vote, which is directed against Poynings' Act.

Lord Aungier will present to you the state of things here. *Pp.* 1¼. (*Hol.*). *Add. Endd. in* Nicholas' *hand.* R[eceived] 3 June, 1661. *Ibid.* 80.

4 June. Whitehall. The KING to the LORDS JUSTICES concerning the PAPIST INHABITANTS of DUBLIN.

The Roman Catholic inhabitants of Dublin have asked to be restored to their possessions and privileges, and we now have received

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full information in the matter from the Duke of Ormond testifying to their loyalty. Those who remained loyal till the withdrawal of King Charles I.'s authority in 1647, and the heirs, &c., of such of them as are dead, shall be restored accordingly. You shall require the Commissioners appointed for settling the security for arrears before 5 June, 1649, and all persons deriving from them or possessing the petitioners' said estates, to forbear disposing of them and to deliver to the said petitioners the possession and profits thereof. Clauses for execution (*see above p.* 179 *note*). *Pp.* 1½. *S.P. Dom. Signet Office IV.* 642-3.

4 June. Whitehall. The KING to the LORDS JUSTICES for JOHN SEGRAVE, of Cabragh [Cabra].

Segrave has upon our grants been restored to his houses in lands in Dublin city and elsewhere except Tassagard and Tobergrayne [Tobergregan], co. Dublin, and also the villages of Rathbeggan and Bristlandstown [Breslanstown], co. Meath, which are possessed by one Standish and other reprisable persons. We are informed that the trustees appointed to set lands in corporations designed for arrears before 5 June, 1649, have assumed a power of setting John Segrave's houses in the said city, though never forfeited, and by us restored, and so not within their commission. Segrave shall be restored to all his lands, especially as he took none in Connaught or Clare. *P.* ½. *Ibid. Vol. V. p.* 6.

Same. [SECRETARY NICHOLAS] to the LORDS JUSTICES.

Yesterday I got yours of the 17th and 23rd May, the first that have come to my hands for three weeks by reason of contrary winds. I have acquainted the King with the address of Sir Hubert Adrien Verveer, Mayor of Dublin, and the body of the militia of that city, at which he is much pleased. The King is going to renew to the Earl of Northumberland the lease of the customs and imposts of wines, and wants to know what is its annual value and how much was confirmed in the Earl of Carlisle's grant. Your certificate only says how much each wine pays per tun for custom, &c. Lord Aungier has arrived, but we have not had time to consider the despatches which he brought. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 49.

Same. [SAME] to the EARL OF ORRERY.

I thank you for your favour to me. I am glad you are going to turn the King's Declaration into a law. People here are pleased with the Declaration of both Houses there as to ecclesiastical government. The fanatics and sectaries are not so numerous as they would have us suppose. *P.* ½. *Entry. Ibid. p.* 50.

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4 June. Whitehall. [Secretary Nicholas] to Lord Chancellor Eustace.

Similar to foregoing. Your suppression of the movement to get the Bill for the oath of Supremacy sent over is commended. We think the Declaration and Instructions will effect a good settlement if reasonably carried out. I pray that nothing may be done or imagined against Poynings' Act, for that would prove of "unimaginable inconvenience. . . . . The House of Commons have under consideration a Bill for the restoring of Bishops into their places in Parliament. Jack Presbyter is not so brisk and jocund as he was before the burning of his beloved Covenant—that horrid engine of rebellion." *P.* ½. *Entry. S.P. Ireland* 308, *p.* 51.

5 June. Whitehall. The King to the Lords Justices for Stephen Smyth and his son.

Smyth, who is comptroller of the customs in Dublin, has suffered much in the Royal cause. He and his son shall be jointly comptrollers of our customs in that port, the grant being made to the longer liver of them. *P.* ½. *S.P. Dom. Signet Office IV.* 644.

Same. The Same for Lord Viscount Taaffe.

Lord Taaffe is likely to be prejudiced as to a grant of Sir Hardress Waller's estate by a grant subsequently made to the Bishop of Cork and Lord Aungier of parts thereof. These grants or leases passed, or intended to be passed, shall be suspended and the estate given to Lord Taaffe. *P.* 1. *Ibid. pp.* 645-6.

[About same?] Draft of the King to the Bishop of Cork.

Directing him to surrender to Viscount Taaffe certain parcels of land in co. Limerick lately belonging to Sir Hardres Waller, attainted of high treason, which have been put into the Bishop's possession by the Lords Justices. *P.* ½. *Endd. S.P. Ireland* 307, 81.

5 June. Whitehall. The King to the Lords Justices for Abraham Yarner and his son Francis.

Granting to them or the longer liver of them the post of Muster-Master General in Ireland. *P.* ¾. *S.P. Dom. Signet Office IV.* 647-8.

Same. Same for John Farrell.

We have been lately pleased to grant Farrell certain lands in co. Longford, called Cloonoghra [Clonoghra], Lackloonagh, Cloonfoure [Cloonfore], Knappoge and Clonderath [Cloondara], with their appurtenances of about the value of £80 a year. Pending the making of the grant he shall be admitted as tenant to the lands. *P.* 1. *Ibid. pp.* 648-49.

And draft of same. *P.* 1. *S.P. Ireland* 307, 82.

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[Before 6 June.] COPY of PETITION to the KING of MARY WARREN and of VISCOUNT TARAGH [TARA], and the other orphans of her sister, VISCOUNTESS TARA, deceased, showing that:—

Petitioners were very young at the outbreak of the late rebellion and under their mother's tuition. They were seized of Balibrittan [Baleybrittan] and several other lands and hereditaments being heretofore the inheritance of Sir Henry Warren, kt., deceased. These came by descent from Sir Henry Warren, and from Anthony, his nephew, to the Viscountess Taragh and the petitioner Mary, as daughters and heirs of Anthony, who was heir to the said Sir Henry. Mary, her sister, and the late Lord Taragh were expelled by the late usurped power in Ireland from their lands, which have been since unjustly detained from them. They were peaceful and loyal. They have lived for fifteen years past in Flanders and took no decree for lands in Connaught or Clare. The Viscountess being dead, her interest is come to Lord Taragh, an infant of seven years of age.

They pray for restoration. *P.* 1. *Endd. S.P. Ireland* 307, 82.

6 June. DRAFT of the KING to the LORDS JUSTICES for the late LORD TARA'S ORPHANS and for his sister, MARY WARREN.

Directing that they be restored to their lands and estates. *P.* 1. *Ibid.* 83.

6 June. Whitehall. DRAFT of SAME for MAJOR ROBERT EDGWORTH.

Appointing him Governor of the fort of Sligo. He shall have as guard there a soldier out of every company in the Irish army, *plus* 2 sergeants, 3 corporals and 2 drummers. The soldiers taken from other companies shall still draw their pay therein. This guard shall not be withdrawn without special order. *P.* 1. *Endd. Ibid.* 84.

7 June. Whitehall. COPY of ORDER of the COUNCIL of STATE.

Present:—The King, the Duke of York, Lord Chancellor, Lord Privy Seal, Duke of Albemarle, Duke of Ormond, Earl of Anglesey and seventeen others.

Upon the petition of Rose, Marchioness of Antrim, Mr. Secretary Nicholas is directed to prepare letters to the Lords Justices of Ireland, directing them to proceed at once to the trial of the Marquis of Antrim, and in the meantime to give him liberty on bail. *P.* 1. *Signed by* Richard Browne. *Ibid.* 85.

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7 June. Whitehall. The KING to the LORDS JUSTICES for EDWARD WALSH, of Clommaning [Clonmannan], co. Wicklow.

Desiring them to attend to his petition and to restore him to his estate if they find that the facts contained in it are true. *P.* ⅓. *S.P. Dom. Signet Office IV. pp.* 650-651.

Same. SAME to SAME for GILBERT MABBOT.

Mabbot has been authorised to grant licences for the sale of wine and strong waters in Ireland, and we have commanded that an office be erected in Dublin for the purpose. You shall set apart one of the forfeited houses in Dublin for the said office. We recommend Mabbot to your favour in the execution of his office. *P.* ½. *Ibid. p.* 667.

Same. SAME to SAME for THEOBALD BUTLER, of Derrylockare [Derryluskan?], co. Tipperary.

Butler petitions showing that he and his father were loyal to our cause and that he was transplanted, upon pain of death, to Connaught. He attended the Commissioners at Loughrea for two years in a miserable condition, and was at length given some fractions in Thomond, which he never enjoyed, and which are seized upon as part of the Earl of Thomond's estate. He shall, if you find the facts true, be restored to his possessions according to the Declaration. *P.* 1. *Ibid. p.* 675.

8 June. Dublin. NATHANIEL MICHLETHWAIT to HUGH RADCLIFF.

I notice that I am chosen one of the committee here by the Committee at Grocers' Hall, but I hear nothing of it officially. Please tell the Committee to write to the Committee here to meet oftener and let us see your [?] instructions and the King's letter, that we may be able to serve the Adventurers and you the better. *P.* 1. (*Hol.*) *with details of private affairs. Add.* to Radcliffe "at the sign of the Beaver on this side Ludgate." *Endd. Ibid.* 86.

10 June. Whitehall. The KING to the LORDS JUSTICES for COL. HEYWARD ST. LEGER.

By a report by the Duke of Ormond on St. Leger's petition it appears that Francis Peasely, surviving patentee of the office of Provost Marshal of Munster, sold his rights in the office to Pierce Butler, and that we granted the office in 1649 to Pierce and his son Theobald, or to the longer liver of them. Pierce was killed at the siege of Limerick by Ireton, and the Duke promised to get the post for the Butlers. To Col. St. Leger, who has always been loyal, we granted the place in July last, but it has been obstructed

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by Peasely's *caveat* and by an intervenient grant passed from us to Sir St. John Broderick. This occasioned that Col. St. Leger, having also our letter agreed with the said Theobald for the interest in the said place and to act as his deputy. He shall be established as his deputy accordingly. *Pp.* 1½. *S.P. Dom. Signet Office IV.* 655-6.

[Before 10 June.] WARRANT to the ATTORNEY and SOLICITOR GENERAL.

Directing them to prepare a bill for the Royal signature to pass the Great Seal containing a pardon to Christopher Aylmer, of Balrath, co. Meath, for all offences by him committed before 10 June last,[1] with usual restitution of lands. *P.* ½, *without Sign Manual.* General date, 10 June. *Endd. S.P. Ireland* 307, 87.

General date 10 June. DOCUMENTS RELATING TO THE CASE OF MAJOR NICHOLAS BAYLY.

Note on the Case of Major N. Bayly.

In December last Bayly had the King and Duke of Albemarle's recommendation for a lieutenant's place of horse; and six weeks later the Lords Justices, in January, granted him his commission to be lieutenant to the Earl of Meath's troop, but upon the application of Col. Cary Dillon desiring he might be lieutenant to that troop and that he would resign his company to Major Bayly, the Lords Justices commanded Major Bayly to quit his lieutenant's place and that they would write to His Majesty that he might have the said Captain Dillon's company in consideration of his lieutenancy, which they did. Major Bayly has got that company which is one of the first sixty, and thinks that he ought not to lose the benefit of the precedency of Col. Dillon's company. The King has also granted that Captain Bayly's company shall be reckoned as one of the first sixty that are to stand. This letter is now offered to the King together with the fact that Bayly has been at great charge for three letters passing the Seal, and has been under sequestration for his loyalty and actings for the King for these seven years past, to the ruin of himself, his wife and children. *P.* ¾. *Endd. S.P. Ireland* 307, 88.

The King to the Lords Justices for Major N. Bayly.

Directing that he have command of Col. Carey Dillon's foot company in Ireland. *P.* ½. Dated 10 June. *S.P. Dom. Signet Office IV.* 657-8.

This concludes the documents relating to this case.

10 June. SIGN MANUAL LETTERS for SIR GEORGE WENTWORTH.

Directing the addressee [unnamed] to show him favour. He is going to Ireland on private affairs. *P.* 1. *Countersigned by* Secretary Bennet. *S.P. Ireland* 307, 89.

(1) Probably 1660

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11 June. Whitehall. The KING to the LORDS JUSTICES for SIR FRANCIS HAMILTON, BT.

Sir Francis' father surrendered to King James I. 500 acres of land near Armagh city worth at least £150 a year, which was given by King James to the Church upon a promise of compensation to be made for the same out of the plantation in Longford and Leitrim. Owing to petitioner's father's death and the late interruptions, he remains unsatisfied. In compensation he shall have the right to carry 700 packs of wool out of Ireland to foreign parts. *P.* ¾. *S.P. Dom. Signet Office IV.* 658-9.

General date 11 June. DOCUMENTS RELATING TO THE CASE OF GEORGE, VISCOUNT GRANDISON.

Copy of Petition to the King, of George, Viscount Grandison.

Asking that he may have the farm of the licence for [sale of] wine and strong waters in Ireland at the usual rates. *P.* ¾. *S.P. Ireland* 307, 90.

Further Petition of Viscount Grandison, showing that:—

His brother, the late Viscount, commanded a troop of horse in Ireland under Charles I. and lost his life in the late King's service. After his death the command passed to John, Viscount Grandison, who is also dead, and the honour is descended to petitioner. He prays for continuance in the command. *P.* ½. *Ibid.* 91.

The King to the Lords Justices concerning Viscount Grandison.

The Earl of Leicester by a commission dated 8 Jan., 164½, gave to George, Lord Villiers, then George Villiers, Esq., the command of a troop of horse in Lord Lisle's regiment. The Earl of Leicester was then commander of the forces in Ireland. The said Viscount Villiers was detained in England in the late King's service. You shall see that that detention do him no prejudice, and that he receive the same allowance as other officers of his quality. *P.* 1. Dated 11 June, 1661. *S.P. Dom. Signet Office IV. pp.* 663-4.

This concludes the documents relating to this case.

11 June. Whitehall. The KING to the LORDS JUSTICES for THOMAS AYLMER.

By our letters of 26 October last, as it appeared that the lands of Thomas, son of George Aylmer were seized for no other cause than recusancy, we ordered that he should be restored to quiet possession of his estate with mesne profits as from 24 June last. Daniel Hutchinson, of Dublin, alderman, who is in possession of

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part of Thomas Aylmer's estate namely the towns and lands of Hartwell, Arthurstown, Brogestown, and part of the lands of Kill[?]; by an order of Oliver Cromwell "in high contempt of our said commands," refuses to give them up and opposed the sheriff who went to reinstate Aylmer, claiming under the usurper's special grant. There is no reason why Hutchinson should be thus preferred above others. You shall restore Aylmer, and call Hutchinson before you to answer for his contempt. If he is penitent, he may be pardoned, but, if not, you shall refer the matter to us. You shall further inquire whether Hutchinson has not been granted—as we are informed—lands in excess of the debt of £2,000 owed him by the usurper, and shall deduct the value of such excess before giving him satisfaction in the ordinary way for what may be due to him. *Pp.* 3½. *S.P. Dom. Signet Office IV. pp.* 659-63.

And draft of same. Dated — May. *Pp.* 2½. *Endd. S.P. Ireland* 307, 92.

11 June. Whitehall. The KING to the LORDS JUSTICES for JOHN ARTHUR.

The Duke of Ormond reports that John Arthur, and his father Robert, alderman of Dublin, were loyal to our cause. The outlawry against the father was forged and entered on the file several years after the father's death. No part of his estate was granted by us to Sir Patrick Wemyss. John shall be restored to all the lands in Dublin and Ireland of which he or his father was dispossessed by the late power. Clauses for execution (*above p.* 179 *note*). *Pp.* 2. *S.P. Dom. Signet Office IV. pp.* 668-9.

Same. SAME for MAJOR HENRY O'NEALE.

Recommending him for restoration to his estate. *P.* ½. *Ibid. pp.* 729–730.

Same. [SECRETARY NICHOLAS] to the LORDS JUSTICES.

I have received your letters about Coronation pardons there and will let you have an answer as soon as the King gives a decision. Things go well in Parliament here. This day the Bill for restoring the Bishops to their places in the Upper House was ordered in the House of Commons to be engrossed and that for settling the militia is in good forwardness. A fleet is about to put to sea under the Earl of Sandwich. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 52.

Same. [SAME] to the EARL OF ORRERY.

It must be some time before the Council decide to make any alteration in the Declaration here. Some people fear that if alteration is once commenced there will be no end to it. *P.* ½, *partly in cypher. Entry. Ibid p.* 53.

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11 June. Whitehall. [Secretary Nicholas] to the Lord Chancellor.

Similar to foregoing. Hopes that the next term will not be adjourned as the previous ones have been. This has caused great inconveniences. Hopes that the Lords Justices will forestall any attempts to alter Poynings' Act. *P.* ½. *S.P. Ireland* 308, *p.* 54.

12 June. Dublin. Sir Paul Davys to Secretary Nicholas.

I understand that you are still favouring me in the matter of my reversion of the Secretaryship of State here, and as to the remission of your own dues thereout. I am grateful for this. I am doubtful whether my getting that reversion may not interfere with my position as Clerk of the Council here. The point would be settled by granting the reversion of the Clerkship of the Council to some friend in trust for me, so I have written to the Duke of Ormond to get this reversion given to my two nephews Mathew Lock and Mathew Barry. Both have been trained under me and are competent. *P.* ¾. (*Hol.*). *Endd. S.P. Ireland* 307, 93.

13 June. Whitehall. The King to the Lords Justices for Bridget, Countess of Tyrconnell.

King James I. in 1616 granted the Countess a pension of £300 a year from Ireland. On complaint being made of the slowness of the said payment, King Charles confirmed this grant by letters dated 4 July, 1625[1], directing Viscount Valentia to take notice of the advantage which the Crown had gained by the surrender by the Countess of her jointure in Donegal. King Charles ordered that payment should be made to the Countess next after the judges. These payments were made until the beginning of the late rebellion. The Countess does not now ask for arrears, but for payment in future. It shall be made to her—to commence from 29 May, 1660. *Pp.* 2. *S.P. Dom. Signet Office IV. pp.* 673-4.

Also draft of same, dated 11 June. *P.* 1. *S.P. Ireland* 307, 94.

Same. The Same for the "Papists of Drogheda."

The ancient natives of Drogheda and its liberties of the Roman Catholic religion have petitioned us, and the Committee of the Privy Council on Irish Affairs recommend them to us. Those of them against whom no charge of disloyalty before 1647 (the time of the withdrawal of King Charles I.'s authority from Ireland) can be proved shall be restored to their possessions and privileges in Drogheda, wherefrom they were expelled by the late usurped power. Clauses for execution [*see above p.* 179 *note*]. *Pp.* 1¾. *S.P. Dom. Signet Office IV. pp.* 670-2.

(1) See Cal. of S.P. Ireland 1625-32, p. 55-6.

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Before 14 June. PETITION of SIR RICHARD INGOLDSBY, INGOLSBY or INGOLDESBY, K.B., to the KING, showing that:—

Sir Hardress Waller became indebted to petitioner in 1658, in the sum of £2,000 by judgment of the Court of Common Pleas in Ireland, and petitioner has a bargain and sale of his goods and chattels for the same. The King allowed of this debt. Petitioner now hears that there is an application to grant away all Sir Hardress' estate.

He prays that, if the estate be so granted, it be granted subject to his debt. *P.* ½. *Signed, and with order on separate paper*, referring the petitioner to the Lord Chancellor and the Earl of Orrery. They shall see him justly treated and the goods restored to him, he giving security in case of fraud. *P.* ½. *The whole, p.* ¾. *S.P. Ireland* 307, 95 *and* 95*a*.

14 June. Whitehall. The KING to the LORDS JUSTICES for SIR RICHARD INGOLDSBY.

It was enacted by our Parliament of 1660 that £2,000 should be paid to Sir Richard out of Sir Hardress Waller's estate in Ireland. As Sir Richard has served the Royal cause loyally, you shall see that in the case of any grant of all or part of Sir Hardress's estate being made, this enactment be respected. *P.* ¾. *S.P. Dom. Signet Office IV. pp.* 664-5.

Also draft of same. *P.* ¾. *Endd. S.P. Ireland* 307, 96.

Same. SAME for SIR JOHN STEPHENS.

Sir John's father was Customer and Collector of the ports of Waterford and Ross; and a third party, Paul Stephens, was in the patent with the said father and the petitioner. Paul was joined as a trustee only, owing to petitioner's minority. You shall give the petitioner a grant of the place by patents on surrender of the old grant. *P.* 1. *S.P. Dom. Signet Office IV. p.* 686 [*see above pp.* 334-5].

Same. SIGN MANUAL for SIR THOMAS ESMOND.

Directed to the Lords Justices and ordering them to do what can be done for Sir Thomas Esmond's advantage. *P.* ½. *Add.* to the Lords Justices of Ireland. *Countersigned by* Nicholas. *S.P. Ireland* 307, 96*a*.

15 June. Whitehall. The KING to the LORDS JUSTICES for the MARQUIS OF ANTRIM.

Upon the petition of Rose, Marchioness of Antrim, we direct you to see that the trial of the Marquis of Antrim take place at once. Meantime you shall admit the Marquis to bail. You shall further let him have all his lady's estate and a proportion of his own for his due maintenance. *P.* 1. *S.P. Dom. Signet Office IV. pp.* 665-6.

Also draft of same. *P.* 1. *Endd. S.P. Ireland* 307, 97.

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15 June. The KING to the LORDS JUSTICES for PETER HUSSEY, of Culmullin, co. Meath.

The Irish Committee of the Privy Council report on Hussey's petition, certifying that he is restorable. Part of Hussey's lands is now in our hands, being lands formerly possessed by Daniel Axtell, a person attainted of high treason, and is claimed by Sir Allen Broderick, under pretence of a letter for passing our grant to him of Daniel Axtell's estate. The residue is in the hands of persons claiming through the late usurped power. Hussey shall forthwith be restored to Bedlewstown [Bellewstown] and such part of the lands as were recently possessed by Axtell, and to all lands, rectories, &c., of which Hussey or his tenants were deprived by the late usurped power. Clauses for execution [*see above p.* 179 *note*]. *Pp.* 1⅔. *S.P. Dom. Signet Office IV. pp.* 692-4.

Latest date 15 June. NOTES of MATTERS discussed [at the COMMITTEE of the PRIVY COUNCIL for IRISH AFFAIRS].

6 June. Pierce Lacy's petition. The matter to be left to the Parliament of Ireland.

Geffery Browne and the inhabitants of Galway are to prove their loyalty before the Lords Justices and Council and to see the execution of the Declaration.

James Talbot's petition referred to the Lords Justices. The Earl of Tyrconnell's case. His mortgage to be satisfied. The King to be entitled to it by process out of the Exchequer.

Sanderson, to whom Sir Robert Stuart owes a sum for meal taken for the public service, to bring in an answer what he will take for his debt.

Matters regarding the King's minters and printing of the proclamation concerning the mint [in Ireland]. A proclamation is necessary that merchants may know what price they may have for bullion.

8 June. Present [The Duke of] Orm[ond], [the Earl of Angle[sey], Both Sec[retaries]. The matter of Ingoldsby and Waller's estate. *Details* [*see* the letters of 14 June].

Mrs. Bermingham's case referred to the Lord Justices for perusal.

Ailmer's [Aylmer's] letter approved of and to be drafted.

Sir Thomas Esmond's case to be treated favourably [*see* 14 June].

Walter White's widow. Nothing can be done.

11 June. *Other details* concerning the cases of Henry O'Neale, Patrick Archer, Pierce Walsh, Sir Connell Farrell, Nicholas and Francis D'Arcy, Lord Baltinglass, and Lord Howth. *Pp.* 2½. *In* Nicholas' *hand, badly written, with abbreviations. Endd. S.P. Ireland* 307, 98.

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16 June. Whitehall. The KING to the LORDS JUSTICES for ANNE, relict of MATHIAS BARNEWALL, of Brymore [Bremore, co. Dublin].

Lord Moore and others, to whom Anne's petition was referred, have reported setting out an order by the Lord Lieutenant and Council dated 21 Dec., 1644 [*set out here*], directing that Mrs. Barnewall take possession of the lands claimed by her other jointure. She shall now be restored to those lands. Clauses for execution [*see above p.* 179 *note*]. *P.* ¾. *S.P. Dom. Signet Office V.* 128.

Before 17 June. SIGN MANUAL WARRANT to the LORDS JUSTICES for THEOBALD, VISCOUNT TAAFFE.

Directing that he be made Earl of Limerick and have an annual fee of £20 a year. *P.* ⅔. *Countersigned by* Nicholas. *Endd. S.P. Ireland* 307, 99.[1]

17 June. Whitehall. The KING to the LORDS JUSTICES for JOHN TALBOT, of Malahide.

On 30 November last, being assured of the loyalty of Talbot, we directed that he should be restored to such part of his estate as was in our dispose, and that the part in the hands of adventurers, &c., should also be restored to him, reprisals being given to them. We hear that he cannot enjoy this privilege by reason of some outlawry appearing of record against him. He shall be forthwith restored, and shall have a pardon of his outlawry. No rents shall be taken from the estate into the Court of Exchequer pending the passing of the Act of Oblivion or the issue of letters patents for Talbot's restoration. *Pp.* 2. *S.P. Dom. Signet Office IV. pp.* 690-692.

Same. SAME for THOMAS LUTTRELL, of Luttrellstown, co. Dublin.

Luttrell is likely to be disturbed in his enjoyment of our grant of restoration to him by certain grants which we gave to others of lands lately in the possession of John Hewson, which were part of Luttrell's estate. Luttrell shall be restored to the whole of his estate in Dublin city and elsewhere in spite of any such grants. Clauses for reprisals. *Pp.* 1½. *Ibid. pp.* 732-3.

Same. SAME for THEOBALD, VISCOUNT TAAFFE.

Directing that he be granted an earldom with the title of Earl of Carlingford. *P.* ¾. *Ibid. p.* 740.

Same SAME for the INHABITANTS of GALWAY.

The inhabitants of Galway, encouraged by our letters, held the town for nine months against the enemy; and Galway was the last town of consequence that held out against the

(1) Viscount Taaffe was raised to the Earldom of Carlingford on 17 June, 1661, *see letter* of that date on this page, or on 26 June, according to Cokayne [Complete Peerage, *q. v.*]. The grant for which this is a warrant evidently did not pass.

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usurped power. By the articles of surrender of 5 April, 1652, the inhabitants, freemen and natives were to enjoy their respective freedoms, &c., houses and estates. We confirm that concession to them. You shall see they have possession of these freedoms, privileges, houses, &c., and shall grant them such additional favours as they may claim under the terms of the peace of 1648. As we hear that some of the inhabitants especially deserve our favour you shall find out who they are and treat them as if they had been specially mentioned for good treatment in our Declaration. Full clauses for favourable execution [*see above p.* 179 *note*]. *Pp.* 2. *S.P. Dom. Signet Office V. pp.* 121-3.

17 June. Whitehall. The KING to the LORDS JUSTICES for JAMES WEMYSS.

Directing that he have the company in Ireland which is left vacant by the death of his father, Sir Patrick Wemyss. *P.* ½. *Ibid. IV. p.* 670.

General date 17 June. DOCUMENTS RELATING TO THE CASE OF SIR ROBERT STEWART OR STUART.

Petition of Sir Robert Stuart, Kt., to the King, showing that:—

In Nov. 1641, petitioner got leave from King Charles I. to raise a regiment of foot and troop of horse for his service in Ireland. He continued in that command under the Duke of Ormond till 1649.

The late King and his Parliament, in order to suppress the Irish rebellion, declared that such provisions as should be delivered in Ireland for the service of the army should be satisfied for here, whereupon James Sanderson, merchant, delivered at Londonderry, in Sept., 1642, 1,200 bolls of oatmeal, 500 bolls whereof were disposed for the petitioner's regiment and troop and the residue given to Sir Wm. Stewart's regiment and troop and other troops. The commanders of all these gave to James Sanderson a certificate asking that the Parliament of England should pay him £1,040, for the value of the oatmeal.

Sanderson being on the sea with his oatmeal, and "we" being ready to starve for want of sustenance (the country round about us being burnt by the Irish), necessity forced "us" to give Sanderson what conditions he pleased, and petitioner and the other officers were forced to seal an obligation to pay him £1,040, if the Parliament should fail, although the debt was clearly a public one.

On 21 Oct., 1642, the Lords and Commons in Parliament ordered that £1,014 should be paid out of the Adventurers' money in due time; and on 19 May, 1643, the House of Commons declared they would take course to pay the monies speedily.

Yet Sanderson, pretending that the debts are still unpaid has arrested petitioner upon an action of £3,000, and petitioner, who thought that he was at last about to receive some reward for twenty years' public service, finds that he may have to remain a perpetual prisoner for a public debt.

Petitioner prays for a hearing, and that this debt may be satisfied by Parliament. *P.* ¾. *S.P. Ireland* 307, 100.

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Copy of Bond signed *by* Sir Robert and Sir William Stewart, Capt. Thos. Fairfax [?], Lieut.-Col. Robert Sanderson, Sergeant-Major James Galbreath, Capt. Robert Galbreath and Capt. Anthony Kennedy.

They bind themselves in £2,000 to indemnify James Sanderson in case the Parliament of England does not pay him the £1,040, for which they have given him a certificate for oatmeal delivered in Londonderry. *P.* 1, *large.* Dated 5 Sep., 1642. *The bond mentions other persons by name, but is signed (not autograph) by the above. Endd. S.P. Ireland* 307, 101.

Further petition of Sir Robert Stewart to the King, showing that:—

On 19 Nov. last, one Captain Tomson, commander of a troop of horse in Ireland, fighting a duel, was slain by Randall Moore, brother to Lord Moore, and one Col. Temple, who commanded another troop of horse there, is imprisoned as an accessory in that business, whereby the commands of both these troops are now vacant.

Petitioner prays for the command of one of these troops in place of the regiment of foot and troop of horse he formerly had in Ireland, and towards recompense of his long services and great sufferings. *P.* ½. *Endd. Ibid.* 102.

Copy of order of the Parliament for payment to James Sanderson or his assigns. *P.* ½. Dated 21 Oct., 1642. *Endd. See Lords Journals* [*Eng.*] *for this date. Ibid.* 103.

Copy of order of the House of Commons regarding payment to Alexander Findlay, John Johnstone and James Sanderson. The House will take speedy course for their payment, &c. *P.* ¼ Dated 19 May, 1643. *Endd. Ibid.* 104.

The King to the Lords Justices for Sir Robert Stewart.

Sir Robert complains that a stop is put on the passing of our letters of 8 April last (*q.v.*) to him by reason of an order forbidding the passing of letters which are contrary to our Declaration. Although Gregory Clement whose lands were given to Sir Robert, got them as an adventurer and should therefore be protected, we do not consider that his lands come within the terms of the Declaration and therefore direct you to confirm the grant to Sir Robert. *Pp.* 1½. Dated Whitehall, 17 June, 1661. *S.P. Dom. Signet Office IV. pp.* 677-8.

Also draft of same. *P.* 1⅛. *Endd. S.P. Ireland* 307, 105.

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Draft of the King to the Lords Justices for Sir Robert Stewart.

Directing that his arrears be stated and that he have satisfaction for them either out of the corporations or money that shall be raised by debentures, or by some other fit means. *P.* ½. *Endd. S.P. Ireland* 307, 106.

This concludes the documents relating to this case.

[Before 17 June,] Petition of Robert Edgworth to the King, showing that:—

Petitioner served the King's father as captain, major and quarter-master-general of horse under the command of the Marquis of Ormond. He served the King beyond seas and came afterwards to England, but not having the success he desired, he was taken prisoner and remained many months in restraint.

He has suffered much for the Royal cause and prays for command of a troop of horse in Ireland, or for command of one of the fortresses in England, whose names are annexed. *P.* ½, *to which is attached the following list*:—

Castle of Deal in the Downs.
Castle of Sanhill, near Sandwich.
Southsea Castle in the co. Southampton.
Hurst Castle in the same.
Pensans [Penzance] and St. Mosse, joined, in Cornwall.

In all, pp. 1½. *Undated, but see next. S.P. Ireland* 307, 107.

17 June. Whitehall. The King to the Lords Justices for Major Robert Edgworth.

Directing them to make him governor of the fort of Sligo. The ward there shall consist of one soldier from each company in the Irish army and of two sergeants, three corporals and two drummers. *Other details* in conformity with draft of 6 June above in favour of Major Edgworth, for which *see p.* 348 *above*. *Pp.* ¾. *S.P. Dom. Signet Office IV. pp.* 764-5.

Same. Same for Christopher Fagan, of Feltrim, co. Dublin.

Fagan petitions showing his loyalty, his deprivation, and that he never took lands in Connaught. You shall see him restored to his lands and liberties in Dublin city and elsewhere in Ireland. Clauses for execution [*see above p.* 179 *note*]. *Pp.* 2. *Ibid. pp.* 701-3.

Same. Same for Pierce Butler, of Callan, co. Kilkenny.

He is restorable as an innocent person, but petitions that he has not had the benefit of our order of restoration. He shall be restored to all the lands of which he or any holding from him were dispossessed by the late usurped power. No grant from us to any other person shall operate to defeat this grant. *P.* 1. *Ibid, pp.* 712-13.

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18 June. Whitehall. The KING to the LORDS JUSTICES for EDWARD LAKE, LL.D., of Carnow [Carnew], co. Wicklow.

Directing that he be made a baronet. *P.* ½. *S.P. Dom. Signet Office IV. p.* 676.

Same. SAME to the BISHOP OF CORK.

Directing him to hand over to Viscount Taaffe such part of the estate lately possessed by Sir Hardress Waller, as [*in draft order, for which see above p.* 347]. *P.* ½. *Ibid. pp.* 694-5.

Same. SAME for JAMES LYNEHAM, of Dublin.

Lyneham petitions for restoration to his estate and possessions in, and to the freedom of, Dublin. He shall be restored to all he possessed on 22 Oct., 1641. Clauses for execution [*see above p.* 179 *note*]. *Pp.* 1½. *Ibid. pp.* 695-6.

Same. SAME for HUGH KING.

We understand that the four quarters of land commonly called by the name of Ballickmiry [Ballaghymurry?][1] in the barony of Ballihensy [Ballinahinch], co. Galway, containing 400 acres of profitable land, according to the Strafford survey, were in the lawful possession of the said Hugh King's father and ancestors, whose heir he is. During the late war he was debarred from these lands, but took no satisfaction for them elsewhere. He served the Duke of Gloucester. He shall be restored to the estate. *P.* ⅔. *Ibid. pp.* 723-4.

19 June. Whitehall. SAME for RICHARD DELAWNY.

Directing that he be appointed clerk of the Crown and Peace in the co. Clare for his life. If this place is not void you shall pass to him the reversion of it with all fees, &c. *P.* ⅔. *Ibid. p.* 718.

General date 20 June. DOCUMENTS RELATING TO THE CASE OF ANNE, MARCHIONESS OF CLANRICARDE.

Petition of the Marchioness of Clanricarde to the King, showing that:—

The King granted her restoration to the house and lands of Portumny [Portumna], and the rest of the lands settled on her for her jointure. The order is dated 29 Dec. last, and before that date, and since the King's restoration, the occupiers of the said house

(1) But see the copy of his petition, *p.* 343, where the lands are differently named.

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and park were warned to sequester the rents due thereout. In the King's order, however, no mention was made of paying these rents to petitioner. She prays that she may have an order for payment to her of all those rents since 24 June last. *P.* ½. *Endd. S.P. Ireland* 307, 108.

Draft of Order by the King in the case of Anne, Dowager Marchioness of Clanricarde.

Complies with the request in the above petition. *P.* ¾. *Ibid.* 109.

Draft of the King to the Lords Justices for the Marchioness of Clanricarde and the Viscountess Muskerry.

The late Marquis of Clanricarde gave us long and faithful service and died leaving only one daughter who married Viscount Muskerry, son of the Earl of Clancarty, and this with our approval. The Marchioness and Viscountess shall be restored as innocent persons, the Marchioness taking the lands settled on her as jointure by the late Marquis, and the remainder of the late Marquis' lands, which he held in Oct., 1641, going to Viscount and Viscountess Muskerry, reserving the usual rents and duties to the Crown. Any lands mortgaged by Earl Ulick or Earl Richard, which may have come to the Crown by the treason of the mortgagees shall be released to theViscountess and her husband.

[*A marginal note here says*:—This is part of the security given to those who served before 1649, and otherwise disposed of as forfeited lands till redemption or expiration of the leases.]

We also desire that no title found for us in the time of the government of the late Earl of Strafford to any part of these lands shall be a bar to these letters patents being passed.

[*A marginal note here adds*:—This clause to be respited till the Earls of Thomond and Mountrath and the other Connaught Protestants, who are all in the like case, be considered. No doubt this will be done in good time.] The usual *non obstantes* shall be put into these letters. *Pp.* 2½. *Endd. Ibid.* 110.

The King to the Lords Justices for Anne, Marchioness of Clanricarde.

We hear that in carrying out an order for the restoration of the Marchioness to her house of Portumna, you have clogged the grant with provisions in favour of the Adventurers, officers, and soldiers, to whom any part of these lands have been assigned for their arrears. In consideration of her late husband's loyalty and her losses, you shall give her absolute possession of her house and jointure without any restrictions. We had also given order on the case of Dame Margaret, the daughter of the late "Marquis" for her restoration to

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her inheritance; but find that she is obstructed by her kinsman, Richard, the present "Earl." We again require that she be restored to her rights. You shall give to the Earl the lands to which we can prove that he is special heir in tail; and Dame Margaret shall have the rest. *Pp.* 2. Dated 20 June, Whitehall. *S.P. Dom. Signet Office IV. pp.* 688-90.

This concludes the documents relating to this case.

20 June. Whitehall. The KING to the LORDS JUSTICES for JANE, widow of JAMES GAWLEY or CAWLEY, of Balliloghloe, co. Westmeath.

From reports by the Earl of Drogheda and others upon Jane's petition, it appears that the Court of Claims at Athlone found her an innocent person and awarded her lands under the 8th Qualification in Connaught, as compensation for the interest in a lease which she had as a jointure and which was taken from her by the usurped power. She shall be restored to Ballyloghloe and to the other lands whereof she was dispossed by the late usurped power. Clauses for execution. *P.* 1. *Ibid. V. p.* 90.

General date 20 June. DOCUMENTS RELATING TO THE CASE OF COL. FRANCIS WILLOUGHBY.

Petition of Col. Francis Willoughby to the King, showing that:—

Sir Francis Willoughby, petitioner's father, was three times Major-General to Charles I. and lost most part of his estate during the late rebellion in Ireland. He left petitioner little but the command of his regiment of foot, which Col. Michael Jones took from him. Col. Jones sent petitioner with Sir Maurice Eustace, Sir John Gifford and others to Chester as prisoners, where they were kept about two years. He there spent most of his fortune and has also been compelled to spend most of his wife's portion of £3,000.

He was formerly promised a command in the standing army in Ireland, but has not got it, and has to send over his wife [to plead his cause] to England, being afraid to come himself on account of the great debts which he owes there.

He prays for the next troop of horse that shall fall vacant or for some other means for support of himself, his wife and their eight children. *P.* ½. *Endd. S.P. Ireland* 307, 111.

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The King to the Lords Justices for Colonel Francis Willoughby.

Directing that he be made captain of the first troop of horse in Ireland the command of which shall fall vacant. *P.* 1. Dated Whitehall, 20 June. *S.P. Dom. Signet Office IV. p.* 748.
Also draft of same. *P.* 1. *Endd.* Dated—July. *S.P. Ireland* 307, 112.

This concludes the documents relating to this case.

22 June. Whitehall. The KING to the LORDS JUSTICES for MAJOR DURHAM.

Directing that he be made Muster Master of all the "trained bands, undertakers and outrisings" in Munster and Connaught, which post is vacant. *P.* 1. *S.P. Dom. Signet Office IV. pp.* 687-8.
Also rough draft of same. *P.* ½. *S.P. Ireland* 307, 113.

Same. SAME for CAPTAIN CHARLES FARRELL.

Sending his petition and directing that he be restored to his estates in Ireland. *P.* ½. *S.P. Dom. Signet Office IV. p.* 711.
And draft of same. *P.* ½. *Endd. S.P. Ireland* 307, 114. *The former followed by—*

COPY of PETITION to the KING of CAPT. CHARLES FARRELL, of Bellaghvihane [Beallaghmehane], showing that:—

Petitioner came from Ireland to England on the outbreak of war and served till he was captured at Sandwich and the King was prisoner in the Isle of Wight. He was then forced to give security to go beyond the seas for seven years. He served the King in France and was made captain in the Earl of Bristol's regiment. Petitioner's father died about fourteen years ago, and was then possessed of two cartrons of Bellaghvihane, a cartron of Derimore [Derrymore], cartrons of Gortinglan, [and] two cartrons of Clonrine and with such mortgaged lands as belong to petitioner. According to the Declaration he is restorable. He prays for restoration. *P.* ½. *S.P. Dom. Signet Office IV. pp.* 711-712.

22 June. Council Chamber, Dublin. The LORDS JUSTICES to SECRETARY NICHOLAS.

On the 7th of June, the Marquis of Antrim appeared before us and showed us an order of the King in Council of 29 March last, directing that Sir John Robinson, kt. and bt., Lieutenant of the Tower, should take recognizance of £20,000 of Lords Moore, Dillon, and Taaffe, the condition being that the Marquis should appear before us in six months time; and that all papers relating to his case which are before the Council Board in London should be sent over here; and that the Marquis should not appear in the King's presence during his stay in England.

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The Marquis also produced a certificate by Sir John Robinson, dated 22 May last, that a recognizance had been entered into on the 27th of April. We presume this is the recognizance referred to. He asked to be bailed, and produced the names of sufficient securities, but they were not present and we decided, after consultation with the Council, that he should be confined to his lodging under guard till he gave good security. He is still under guard. On 21 June, Lady O'Neile brought us the King's letters, directing us to proceed as soon as possible to the trial of the Marquis, to release him on good bail, to execute no sentence on him without leave first obtained from the King, and to allow him his wife's estate and a sum for maintenance out of his own. We shall obey this order, and desire that the papers may be sent over to us. Lady Antrim's estate is all taken up with Lady O'Neile's jointure and other charges, and the Marquis' estate is continuing in the hands of adventurers and soldiers. *Pp.* 2¼. *Signed by the* Lords Justices. *Add. Endd. S.P. Ireland* 307, 115.

General date 22 June.

DOCUMENTS RELATING TO THE CASE OF THE EARL OF TYRCONNELL.

Petition of the Earl of Tyrconnell to the King, showing that:—

Petitioner's father, Thomas, Viscount Fitzwilliam of Merrion mortgaged to one Plunckett, the town and lands of Baggothrath [Baggotrath], for £600, which, with interest, became a debt of £1,000. Ultimately new deeds were made creating a mortgage of £2,000, and Plunckett entered under them and enjoyed the premises for divers years before the war. Plunckett having forfeited his rights during the war [by rebellion], petitioner was restored by the King to his old possessions with the mill of Donabrook [Donnybrook].

Petitioner's uncle, Christopher Fitzwilliam had lent Mr. Talbot, of Malahy [Malahide], £1,000 or thereabouts, upon a mortgage of land, and the said Christopher before his death made petitioner's father and brother executors or administrators of his will. Petitioner's father, being the surviving executor, the benefit of the said mortgage by right comes to him. Christopher Fitzwilliam, the testator, has, by indictment or outlawry, forfeited his right of all his estate, personal and real, to the King.

Petitioner and his predecessors have been possessed of certain lands and tithes in Cowly [Coole], Moclagh [Mucklagh] and Carlingford, in the "county of Louth and Carlingford" and diocese of Armagh, for a lease of near 100 years from the Crown, of which ten or twelve years are as yet unexpired. He prays for restoration to Baggotrath and Donnybrook mill, according to the warrants of 1 Nov. last, and to his interest in the mortgage and to the lease of the lands and tithes in Cowly, Carlingford, &c. *P.* 1. *S.P. Ireland* 307, 116.

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Draft of Royal Warrant to the sheriffs of the counties wherein the estate of Viscount Fitzwilliam lies.

Ordering that the Viscount be at once restored to the houses and lands of Baggotrath, Cappock, the mill of Donnybrook, Glancullen [Glencullen], and the rest of his father's estate. Clauses for execution. *Pp.* 1½. Dated 1 Nov., 1660, Whitehall. *Endd. S.P. Ireland* 307, 117.

The King to the Lords Justices for the Earl of Tyrconnell.

By our warrant of 1 November last, we gave to the Earl of Tyrconnell all rights which we may have in the lands of Baggotrath, Cappock, the "Milne," and the rest of the estate belonging to his father, which had devolved upon us by forfeiture from the mortgagees of the said father. He shall be restored to possession of these places, and have the lands mortgaged by John Talbot, of Malahide, to Christopher Fitzwilliam, his uncle. Clauses for execution. *P.* 1. Dated 22 June, Whitehall. *S.P. Dom. Signet Office IV. pp.* 681-2.

This concludes the documents relating to this case.

22 June. Whitehall. The King to the Lords Justices for Henry Laurence.

Sending his petition and directing that he be given a lieutenancy in the first troop of horse in which such a place shall fall vacant in Ireland. *P.* ½. *Ibid. p.* 687.
Also draft of same. *P.* ½. *Endd. S.P. Ireland* 307, 118.

25 June. Whitehall. Same for Nicholas Darcy, of Plattin.

In November last on the petition of Darcy and report thereon by the Duke of Ormond we ordered that the petitioner should be restored to his estate. This order has not been carried out. We commend it to you. Frances D'Arcy, the widow of petitioner's son George, who is an innocent Papist, shall be put into full possession of her jointure. *P.* 1. *S.P. Dom. Signet Office IV. pp.* 683-4.
Also draft of same. *P.* ½. *Endd. S.P. Ireland* 307, 119. *The former followed by—*

Copy of Petition to the Irish Committee of the Privy Council of Nicholas and Frances D'Arcy, as above:—

Setting forth the facts stated above and praying for an order that, whether the adventurers and soldiers on this estate find reprisals or not, they shall on Oct. 23 next hand over Nicholas' estate. Frances D'Arcy asks for restoration to her jointure. *P.* 1. *S.P. Dom. Signet Office IV. pp.* 684-5.

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25 June. Whitehall. The KING to the LORDS JUSTICES for LORD SHANNON.

Directing that he have the wardship of the body and lands of William, son and heir of Sir Andrew Barrett, late of the co. Cork. *P.* ½. *S.P. Dom. Signet Office IV. p.* 685.

Same. SAME for OLIVER TUIT or TUITE, of Sonnagh, co. Westmeath.

We have considered Sir Oliver Tuite's petition with the reports thereon of the Irish Committee of the Privy Council and of the Duke of Ormond. These show that petitioner's grandfather, Sir Oliver, was loyal and that he had no part in the plunders done on Protestants, but ran great hazards in preserving them. Petitioner was not more than eight years old when the Irish rebellion began. He shall be restored to all lands in Ireland of which he or his mother or tenants were dispossessed by the late usurped power. He shall not be prejudiced by having lived in the enemies' quarters and shall have the benefit of our Declaration as to innocent persons. Clauses for execution (*see above p.* 179 *note*). *Pp.* 1½. *Ibid. pp.* 721-722.

27 June. Whitehall. SAME for SIR CONNELL FARRELL, KT.

On 10 March we informed you that we were determined to take special care of Sir Connell in relation to his restoration to the estate of his father John, of Tirlicken [Tirlickeen], co. Longford, owing to Sir Connell's good services abroad. We directed you to reprise the officers who served before 1649 and were in possession of this estate and to restore it to Sir Connell's father. We further directed that Sir Connell should at once be restored to such land as was of his own acquisition or mortgaged to him. We have had no account of the restoration of Sir Connell. You shall send us such an account and see that he is restored at once. *Pp.* 2. *Ibid. pp.* 703-5.

Same. SAME for the HEIRS of SIR LUCAS DILLON and OTHERS, who suffered by the Nuncio's party.

Sir Lucas Dillon, deceased, Sir Robert Talbot, Bt., Sir Valentine Blake, deceased, Sir Richard Blake, Dr. Gerrard Fennell and Jeffrey and John Browne of the Neale suffered much in Ireland in the divisions raised by the Nuncio's party, and incurred great losses otherwise. They shall be restored to their estates on the same terms as the Earl of Clancarty, Richard Bellings and others. The heirs of Dillon and of Sir Valentine Blake, and Sir Robert Talbot, Richard Blake, Fennell and the Brownes, as above, shall be so restored in spite of their having taken lands in Connaught. *Pp.* ⅔. *Ibid. pp.* 724-5.

Same. The SAME for EDWARD VERNON.

In consideration of his services to James I. and Charles I., he has been granted the manor or township of Clantarfe or Clantaffe [Clontarf] with Hollybrook and the island of Clontarf in the barony of Collock [Coolock], co. Dublin. This grant, which was dated 26 Oct., 1660, shall be inserted in the Act made or to be made for confirmation of particular grants in Ireland. *P.* ⅔. *Ibid. p.* 697.

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28 June. Whitehall. The KING to the LORDS JUSTICES for MRS. LISLE.

The Lord Treasurer of England has lately moved us in favour of Mrs. Mary Lisle, "the distressed sister of that memorable person and sufferer, Sir George Lisle." She shall be paid £2,000 out of the Irish customs by instalments, payable every three months. *P.* 1. *S.P. Dom. Signet Office IV. p.* 699.
Also draft of same. *P.* 1. *Endd. S.P. Ireland* 307, 120.

About same. DRAFT of SAME for SAME.

[28 June.] Directing that she either have the benefit of King Charles I.'s intentions towards her or be relieved in some other way. *P.* ½. *Endd. Ibid.* 121.

Before 28 June. PETITION to the KING of CAPTAIN GEORGE HAMILTON, showing that:—

The King granted to Sir Robert Sterling the penalties and forfeitures which should come in for breach of the Act of Charles I. against ploughing and drawing by the tail. As Sir Robert is dead, petitioner asks that he may have a similar grant. *P.* ½. *Endd. partly in* Nicholas' *hand. Ibid.* 122.

28 June. Whitehall. The KING to the LORDS JUSTICES for GEORGE HAMILTON as above.

Granting to him all forfeitures and penalties paid in Ireland for ploughing by horse's tails contrary to the statute of Charles I. As the King knows that in certain parts of Ireland his subjects are not able to manure[1] their lands except by ploughing by the tails, the Lords Justices shall empower Hamilton to license such ploughing. *P.* 1. *S.P. Dom. Signet Office IV. pp.* 718-719.

Same. SECRETARY NICHOLAS to the LORDS JUSTICES.

Yours of the 12th concerning licences for transport of wool stocks has been read in Council by the King's order but nothing has as yet been done in the matter. The proposals made by you in Lord Angier's papers are answered in the papers sent by him, which he will deliver to you. He left three days ago. I had so bad a fit of the stone that I could not write by him. *P.* ½. *S.P. Dom. Entry Book I.* 6.

29 June. Whitehall. The KING to the LORDS JUSTICES for SIR JOHN STEPHENS.

Directing that he be granted 4,000 plantation acres of concealed lands in the co. Tipperary. As these are concealed lands they can be granted without violence to the Declaration. *P.* 1. *S.P. Dom. Signet Office IV. p.* 698.

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(1) The word is apparently used in the old sense of 'to till.' *See* Skeat Etym. Dict., *s.v.* "manure."

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29 June. Whitehall. The KING to the LORDS JUSTICES concerning the CLERK of the DECREES.

Major Carroll Bolton petitions showing that the office of Clerk of Recognizances and Decrees in Ireland has time out of mind been disposed of for the term of life by the Chancellor, that Sir Richard Bolton in 1648 nominated him, the petitioner, to this office, and that after the usurpation you, the Chancellor, restored him to it. Nevertheless Ralph Merry had secured letters patents from us granting him the office. These were given in ignorance. You shall see that Bolton is not prejudiced in his legal right by our said grant. *P.* 1. *S.P. Dom. Signet Office IV. p.* 714.

Same. SAME for SIR JOHN MORRES.

Sir John is son and heir of Sir Redmond Morres and grandson and heir of Sir John Morres, of Knockagh, co. Tipperary, Bt., and with his mother, Dame Ellis, has petitioned for restoration. The Irish Committee of the Privy Council are assured that petitioners and Sir John's father and grandfather are, or were, loyal. The grandfather in 1634 settled his estate on himself for life, and then on his son for life, with a jointure to Dame Ellis, and with remainder to the petitioner in tail. They shall be restored to all lands of which they were deprived by the late usurped power, notwithstanding that they took lands in Connaught or lived in the Irish quarters. Clauses for execution [*see above p.* 179 *note*]. *Pp.* 2½. *Ibid. pp.* 749-751.

Same. [SECRETARY NICHOLAS] to the EARL OF MOUNTRATH.

I have a fit of the stone, which I have not had for 16 years; but hope it is over. I hope that no inconvenience may follow upon the giving of Papists permission to trade and inhabit in Ireland, and that, if any evils do follow, the Irish Parliament will be able to check them, or recommend checks. The Parliament here have passed the Act of indemnity without proviso and are now settling the Revenue and Militia questions. The King intends, after Parliament adjourns, which we suppose may be before the end of next month, to go a progress to Worcester and thence westward "to give a gracious visit to those places that secured him when he was, by the then usurper, hunted as a partridge on the mountains." *P.* ¾. *Entry. S.P. Ireland* 308, *p.* 55.

Same. [SAME] to LORD CHANCELLOR EUSTACE.

I have your letters of the 12th, 15th, and 19th. I have consulted with the Duke of Ormond concerning the allowance of £500 a year granted to Sir Richard Bolton in the position of Lord

1661.

Chancellor. The Duke and I think that as you have £1,500 a year by the grant of 1 Feb., 1661, you should not have this £500 a year also. You should, we think, be paid your fee of £311 a year, as well as the £1,500, it being the ordinary fee allowed by the establishment. I have told the King that you say that if the Lords who were outlawed are to be restored not only to their estates, but to their honours, it will require a Bill; and that no Bill will be transmitted for any of them without the King's special command. I have as yet no directions on the matter. People here are glad that you have put the Bill passed there into the old form as required by Poynings' Act. It will be a prejudice to His Majesty that the Court of Wards finds offices so slowly. I am recovering from an attack of stone. *P.* 1. *Entry. S.P. Ireland* 308, *p.* 56.

[Before 29 June.] PETITION to the LORDS JUSTICES of CAPTAIN JACOB REYNOLDS captain of sea and war, *and second Vice-Admiral to His Majesty of Portugal,*[1] showing that:—

The Lords Justices have had one of the King of Portugal's best ships arrested, together with a prize of the said King's, and have put the King of Portugal to a charge of several hundreds of pounds by the petitioner's occasioned absence from the ships aforesaid, and likewise have hindered the King of Portugal's naval operations against his enemies, the Dutch. Petitioner might, if he liked, have secured the French Marquises, who complained of him, and have prevented them from making against him the false accusations which he intends judicially to disprove, as soon as he sends the persons and goods of the said Marquises to Portugal. He will send these in convenient time.

Petitioner cannot consent to have his goods tried here or to do anything which will prevent him from sending the Frenchmen's persons to Portugal. If he has done them any wrong he is answerable therefor only to his master. He is, however, ready to agree to a friendly arrangement here of the differences between himself and the Marquises. Petitioner hopes that the Lords Justices will not again, by seizing the King of Portugal's ships, make it necessary for petitioner to publish these protests. *P.* 1. *Endd., to which is attached*—

29 June. From my house in Wild Street, London. COPY of the CONDE DE LA PONTE (Portuguese Ambassador in London) to CAPT. REYNOLDS.

Has written to the Lords Justices. *P.* ½. *Add. Verified by* Joseph Williamson. *Endd. in* Nicholas' *hand. S.P. Ireland* 307, 123.

(1) The words italicised are erased in the MS.

1661.

Latest date 29 June.

DOCUMENTS RELATING TO THE CASE OF PHILIP ROBERTS.

Petition of Philip Roberts to the King, showing that:—

Petitioner provided many sums for his brother William, who was King of Arms in Ireland. He was a person well beloved and of approved fidelity to the late and to the present Kings. Petitioner thus constantly endeavoured until, in the year 1646, his brother proclaimed the peace for the King in Limerick. As he was performing the solemnities for the King, he was wounded in several places and lay in the street for dead. John Bourk or Bourke, Mayor of the city, was in the same way knocked down and left for dead. *P.* ½. (*Hol.*). *S.P. Ireland* 307, 124.

Warrant by Edward Doyly to Captain Thomas Wilkes, of *H.M.S. Convertine.*

Ordering him to receive on board Philip Roberts, who has long been a prisoner with the enemy and has escaped, and to take him to England. *P.* ½. Dated 14 Jan., 166$\frac{9}{1}$. *Attached to foregoing. Ibid.* 124*a.*

Certificate by Doyly.

Certifying that Roberts, when travelling from St. Christophers to Jamaica was seized by a Spanish ship and carried into Santiago de Cuba, where he remained prisoner above half a year. He then escaped with eight others, having got a connow [canoe]. They arrived at Jamaica in a miserable condition and Roberts was very ill. He asked leave to go to England, which Doyly gave. *P.* ½. Dated Jamaica, 13 Jan. 166$\frac{9}{1}$. *Ibid.* 125.

Draft by Philip Roberts of King Charles I.'s letters to the Duke of Ormond for William Roberts.

Recites Roberts' loyalty, his difficulties, and the fact that he has served three years without pay, and directs that he be assisted to collect the debts owed to him in Ireland, and be given some fitting appointment for his support. *P.* 1. Dated at Court at Oxford, 12 Jan., 164$\frac{5}{6}$. *Ibid.* 126.

Pass of the Marquis of Ormond.

William Roberts, D.C.L., Ulster King at Arms, has loyally served the King and has been Muster Master in Ulster since the King gave the Government into my charge. He also commands a foot company in the King's service and has asked me for a certificate of his loyalty. He has served in posts of trust and been wounded in the King's service. He shall be allowed to pass and repass with his servants and horses by sea and land on his way from hence. *P.* ½, *with signature and seal.* Dated 17 June, 1647. *Ibid.* 127.

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Certificate by John Hyna, of Limerick, merchant tailor.

Certifies that when at the end of August, 1646, William Roberts was proclaiming a cessation of arms between His late Majesty and the Irish, he was set upon by David Roach, a friar, and Dominick Fanning; and that Roberts and Bourke, the Mayor of Limerick, were set on and left for dead at the Mayor's door. The Mayor was "dragged through the gutter as a dead man in his scarlet gown." Roberts was brought into Bourke's shop mortally wounded, and afterwards they went and cut his "sumptour" and took out £60 beside clothes and linen. *P.* ¾. *Signed by* Hyna, *attached to foregoing and* dated 29 June, 1661. *S.P. Ireland* 307, 127*a*.

This concludes the documents relating to this case.

June. Whitehall. The KING to the LORDS JUSTICES for SIR RICHARD INGOLDSBY.

Concerning a judgment which he obtained in the Court of Common Pleas in Ireland, in 1658, for payment of £2,000 from Sir Hardess Waller's estate. *P.* ½, *with a note in margin*, "This is void and another entered in this month. *P.* ⅔. *S.P. Dom. Signet Office IV. pp.* 656-57.

Same. SAME for DANIEL O'NEILE, one of the Grooms of the Bedchamber.

O'Neile asks for restoration to a pension of £500 a year out of the profits of the Hanaper Office in Ireland, which was granted him by King Charles I. on 28 April, 1641. The funds in the Hanaper Office do not admit of this being paid. He shall have the sum out of this or other source of revenue in Ireland. *Pp.* 1⅓. *Ibid. pp.* 700-701.

Same. DRAFT of the KING to the LORDS JUSTICES for a GENERAL PARDON in IRELAND.

Sends the Proclamation for a General Pardon in England, dated 23 April, 1661, and a transcript of the pardon agreed upon under it, in order that the Lords Justices may see the extent and limitations of it. They shall issue such a pardon under the Great Seal of Ireland to such of the King's Irish subjects as are capable of it, but with such restrictions and limitations as are contained in the transcript sent. The Proclamation shall be at once published in Ireland. *P.* ⅔. *S.P. Ireland* 307, 128.

Same. SIGN MANUAL WARRANT to the LORDS JUSTICES for JOHN FARRELL,

Farrell has renewed his petition to us for a grant of some small parcels of land called Cloonoghra [Clonoghra], Lackloonagh [Laghlooney], Cloonefoure [Cloonfore], Knappogge [Knappoge], and Cloonderath [Cloondara], with their appurtanances in the co. Longford, for which he asked in petitions recommended by us to you on 6 Sept. and 28 Feb. last. You shall grant him these lands if you find them to be worth not more than £30 a year. *P.* ⅔, *and a copy, p.* ⅔. *Both endd. Ibid.* 129 *and* 130 *and see above p.* 238, at 28 Feb., 1661.

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About June. COPIES of REPORTS by the LORD CHANCELLOR on the PETITION of MARY TALBOT, widow, on behalf of her daughter.

I have seen a report by Lords Castlehaven, Taaffe, Dillon and others, dated 17 Nov., 1660, certifying that George King, of Clontarf, co. Dublin, submitted and adhered to the peace concluded by the Marquis of Ormond, Lord Lieutenant of Ireland in 1649. The Marquis appointed him Excise Master of Waterford, where he was besieged by Cromwell, and died during the siege.

If these were all the facts, there would be a case for restoring [the daughter]; but upon a petition of Col. Edward Vernon I reported to your Majesty that George King had been indicted and outlawed of high treason, and that it was in your power to dispose of the lands; and they have been granted to Col. Vernon. On the other hand the Articles of Peace made between your Majesty and the General Assembly of the Roman Catholics of Ireland contains an agreement that all indictments, attainders, outlawries, &c., and all patents, grants, leases, bonds, &c., depending thereon or taken by reason thereof since 7 August, 1641, in prejudice of the said Catholics, shall be vacated. The indictment and outlawry in question were within that time.

The Earl of Mountrath is also a suitor to the King that he may have the said town and lands of Clontarf in reprisal for some land which he supposes he shall lose by your Majesty's intended Declaration for the settlement of the several interests in Ireland. "And whether your Majesty will settle the said lands on the said daughter, whose right is bound up by nothing but by the said indictment and outlawry, which by the said articles of peace is taken away; or to [on] the said Col. Edward Vernon, who hath already proceeded so far as to the Great Seal upon your Majesty's title to the premises, grounded only upon the said indictment and outlawry, the one being a public and the other but a private engagement; or upon the Earl of Mountrath to whom your Majesty, as to this particular, is in no way engaged, but pleads his merit which indeed has been very great"—this is a matter for your royal consideration. *Pp.* 1½ *and p.* ½. *Two copies. Endd. S.P. Ireland* 307, 131 *and* 132.

June.[1] DRAFT of the KING to the LORDS JUSTICES for VISCOUNT MONTGOMERY OF THE ARDS.

Directing that he be made Earl of Mount Alexander with a yearly fee of £20 to enable him to support the dignity. *P.* ½. *Endd. Ibid.* 133.

Before end June. SAME for JOHN HOLLYWOOD, of Tartane [Artane].

He shall be settled in so much of his lands as are in the King's hands, with the profits thereof since 24 June last. He is a loyal servant. *P.* 1. *Endd. Ibid.* 134.

(1) Evidently an early draft. The date of the peerage is given by Cokayne [*Complete Peerage*] as 18 July, 1661.

1661.

About same. DRAFT of the KING to the LORDS JUSTICES for CAPTAIN ALEXANDER GRAY.

On December 20, 1660, we directed you by letters to the late Lords Justices to take steps to pay Captain Gray £460, part of £4,659, which appeared to us to be the value of a ship and loading which was taken for our service in 1649, and we directed you to appoint him one of the Commissioners of our Customs and Excise in Ireland. We understand that he was accordingly employed in that place for some time, but was laid aside after our letter of 26 April, 1661, concerning the Commissioners of Excise there.

We desire you to readmit him, if possible, to that post, or else provide otherwise for him. You shall at once pay him £460, and shall make him a just annual allowance for his support pending the payment to him of the residue of the sum due to him. *Pp.* 1½. *Endd. S.P. Ireland* 307, 135.

JULY, 1661.

5 July. Whitehall. The KING to the LORDS JUSTICES for the EARL OF CASTLEHAVEN.

The Earl petitions showing that in spite of our letters, he has not been restored to his estate. He shall be at once restored. Clauses for execution (*see above p.* 179 *note*). *P.* 1. *S.P. Dom. Signet Office IV. pp.* 734.

6 July. Whitehall. SAME to SAME concerning COMMANDS in IRELAND.

We have seen and approve of your letters of the 12th of last month to the Duke of Albemarle concerning the settlement and number of our standing companies in Ireland. If any of the colonels whom you mention refuse to sign the address recently made to us in Ireland, you shall give his regiment at once to Sir Edward Massey, and its new companies to two of the eight persons whom you name as possible captains. The full number of companies being 61, the supernumerary company shall cease and determine as soon as the first avoidance occurs. If all the colonels and captains sign the address then only seven of the eight persons mentioned shall be taken into our army and Sir Robert Hannay shall be left aside. *P.* ¾. *Ibid. pp.* 725-6.

Same. SAME for SIR WILLIAM DUMVILL, Attorney-General for Ireland.

Ordering that all warrants for drawing up grants of pardon be directed to him alone. The drawing up of such grants is a special branch of the Attorney-General's office. *Pp.* 1⅛. *Ibid. pp.* 728-9.

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6 July.
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The KING to the LORDS JUSTICES for EDWARD, EARL OF MEATH.

Directing that he be paid his arrears for service before 5 June, 1649. *P.* ½. *S.P. Dom. Signet Office IV. p.* 729.

Same

SAME to the CHANCELLOR and COMMISSIONERS for IRELAND for MARCUS FITZSIMONS, of Ballmadraugh [Ballymadrough], co. Dublin.

Fitzsimons was loyal to the Royal cause and supported the Protestants in Ireland during the war. His case has been considered by the Irish Committee of the Privy Council and he is recommended by the Ambassador of Portugal. He never took lands in Connaught or Clare. He shall be restored. *Pp.* 1½. *Ibid. Vol. I. pp.* 18-19.

General date
10 July.

DOCUMENTS RELATING TO THE CASE OF VISCOUNT GORMANSTOWN.

Copy of Petition to the King of Edward Sutton, Esq., and Anne, his wife, relict of Sir Thomas Lucas, Kt.

Sir Thomas, in obedience to the late King's commands, quitted a command of horse in Holland and engaged against the Irish rebels. In that service he spent £10,000, and received several dangerous wounds which shortened his life. By letters patents under the Great Seal of Ireland, dated at Dublin, 9 April, 1644, the late King gave plaintiffs the town and lands of Gormanstown in Meath and other lands during the King's good pleasure—these being lands of which Nicholas, Viscount Gormanstown, died seised. Sir Thomas laid out £1,000 in improving these lands. In 1648, Sir Thomas died, and in 165– Sir Charles Coote, by colour of some pretended act of Parliament, entered on the lands. From him petitioner has ever since been compelled to hold them at a rent of £400 a year. These lands are now in the King's hands, Sir Charles Coote's grant thereof dating from the time of the usurper.

Petitioner prays for a grant of these lands, &c., for the use of the suppliant, Anne and her children. *P.* ½. *Endd. in* Williamson's [?] *hand* "Sir Charles Coote to be heard and n[othin]g to be done till the settlement of the ——— in Ireland." *S.P. Ireland* 307, 136.

Copy of Petition of Jenico, Viscount Gormanstown, to the King, showing that:—

He has the King's direction for restoration to his father's estate of 1641, and is named in the Declaration as a person specially deserving the King's favour. Lady Lucas claims the wardship of petitioner, and he has been ordered to pay her £1,200, of which he has paid part

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and secured the rest. The Court of Claims has given him a decree of restoration, but only as to part of his estate and not as to the chief seat of his ancestors' habitation.

He prays that the Act now under consideration may contain a clause for his complete restitution. *P.* ⅔. *Endd. S.P. Ireland* 307, 137.

Further Petition of Jenico, Viscount Gormanstown, to the King, showing that:—

Lady Lucas petitioned the King to confirm her wardship of petitioner. The King referred the matter to the Lord Steward (Duke of Ormond) to whom petitioner supplied evidence which was certified under the hands of Sargents Glinne and Mayner, Judge Jenkins and Mr. Arthur Trevor showing that petitioner neither was, nor could be made, a ward. Petitioner however, was, and is, ready to pay £500 when he came into his estate. As his estate is small and as he has to support a brother and sister, and as Lady Lucas' husband enjoyed his said estate—as she admits—for three years rent free, he hopes that he may not have to pay more than £500. *P.* ⅔. *Endd. Ibid.* 138.

Further Petition of Same to Same, showing that:—

Lady Anne Lucas *alias* Sutton, has petitioned the King to confirm to her a grant of the petitioner's wardship. This petition has been granted before petitioner could object. He prays that the hearing and absolute determining of the matter may be referred to a fit person. *Two copies p.* ½ *and p.* ½; *the first, S.P. Ireland* 307, 139; *the second underwritten with*—

Order dated 2 April, 1661, at Whitehall, referring the petitioner to the Marquis of Ormond and Lord Valentia. Lady Lucas to have notice of the hearing before them. They shall settle the matter if they can, or, if not, report on it to the King, *and endd. with*—

Report by the Marquis of Ormond and the Earl of Anglesey on the foregoing petition.

We have considered this matter, all parties being present. Lord Gormanstown should pay to Sir Edward and Lady Lucas (late Lady Sutton), £1,500, at the rate of £300 a year [*details given*]. The payment should be charged on the Nobber or some other part of Lord Gormanstown's estate now in the King's hands. Sir Edward and Lady Lucas should thereupon give up Gormanstown and all improvements thereon to Lord Gormanstown. *P.* ⅔. *Signed by* the Marquis of Ormond and the Earl of Anglesey. *In all, pp.* 1½. *Endd. Ibid.* 140.

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Draft of the King to [the Duke of Ormond and Viscount Valentia?] for Viscount Gormanstown.

Sir Maurice Eustace has reported that Lord Gormanstown's petition for restoration to his estates cannot be granted without considering other men's interests. We refer the question to you either absolutely to determine or to report upon again to us. *P.* 1. *Endd. S.P. Ireland* 307, 141.

The King to the Lords Justices for Viscount Gormanstown.

We have considered the report of the Marquis of Ormond and Earl of Anglesey touching the case of Viscount Gormanstown and Lady Anne Lucas. We confirm the suggestions made in that report and have made a special provision in our Declaration for the immediate restoration of Lord Gormanstown. Clauses for execution (*see above p.* 179 *note*). *Pp.* 1½. Dated 10 July, 1661, Whitehall. *S.P. Dom. Signet Office IV.* 785-6.

And draft of a similar letter *with corrections in* Nicholas' [?] *hand. Pp.* 1½. *Ibid.* 142.

This concludes the documents relating to this case.

General date 10 July.

DOCUMENTS RELATING TO THE CASE OF PATRICK ARCHER.

Copy of Order by the King to Patrick Archer, Irish merchant at Amsterdam.

On sight, buy and send to Ireland thirty barrels of musket powder, 200 muskets, 100 pairs of pistols with their holsters, 100 "fusies [fusees] or firelocks." Deliver them to persons who hold our commission in Ireland and get their receipts. These sums shall be allowed to you on account. *P.* ½. Dated Paris, 24 May, 1652. *Underwritten with note, signed by* Archer:—

I am to receive nothing from the King for these, but am to bear the risk at my own charge, it being undertaken at my own adventure. *P.* ½. *Endd. Ibid.* 143.

Petition of Patrick Archer to the King, showing that:—

By a late instrument dated at Bruges, 23 July, 1656, petitioner, for the assurance of moneys due to him for service in Ireland [was to be paid in] sums received out of the Customs of Waterford and Ross; but there is no security for the payment of £450 due to petititioner by engagement from Lord Clanricarde, for the use of the kingdom, except certain words in the grant which declare that, as to these claims, they shall be reserved till fuller information as to them has been received by the King.

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The Lord of Clanricarde is now, owing to ill-health, compelled to reside in England among the rebels and is engaged by his last conditions with them not to give his hand or write for any person or thing on the King's side. Petitioner dares not go to England for fear of being arrested and put to death for his constant and known loyalty to the King. Nor can petitioner otherwise get the necessary certificates from the Marquis, who is old and ill.

Col. Wm. Boorke [Bourke] and Nicholas Bodkin are now here who were present and well acquainted with the petitioner's bargain.

Petitioner prays that they may be heard and that his grant may be altered so as to give him security for the £450, as for his other moneys. *P.* ¾. *Endd. S.P. Ireland* 307, 144.

Further Petition of Patrick Archer to the King, showing that:—

The King by warrants of 1656 and 1657, placed on the Customs of Waterford and Ross sums due to petitioner to the amounts of £5,883 19*s.* and £410 7*s.* 6*d.* which petitioner had spent in the public service; and a yearly sum of £205 from the 23rd July, 1656, pending payment of the principal.

He prays that these sums should be secured to him. *P.* ½. *Endd. in* Williamson's [?] *hand. Ibid.* 145.

Same, showing that:—

Petitioner in 1652 freighted his own ship, the St. Ann, with arms &c., at his own expense, to the value of £500, for the relief of the King's garrison of Ross in Munster, then held by the Earl of Clancarty for the King's use. When the ship came to the river of Kilmare [Kenmare] in Ireland, the master heard that the garrison had yielded, put to sea again, and was beaten into the coast of Brittany at the port of Roscou [Roscoff]. The King of France was at that time in amity with the King of England, yet the Duke of Vendosme, Admiral of France, knowing that the ship was designed for the King's service, seized upon it as having contraband goods and converted them to his own use without compensating petitioner, although petitioner solicited compensation for twenty months at a loss of £1,200.

Petitioner hears that the King has directed a considerable sum to be paid to the said Duke, and prays that the amount of petitioner's claim may be deducted from that sum. *P.* ½. *Endd. in* Williamson's [?] *hand. Ibid.* 146.

Same, showing that:—

Petitioner, ever since he became able to deal in the world, served the Royal cause. He devoted £10,000 to that service, for which he had no reimbursement except what he hoped for from the King's restoration. This money and the rest of his estate he was content to lose rather than live under the usurped power.

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Petitioner is restorable to several houses and lands in Waterford and Kilkenny cities, and is also estated in several lands in the co. Meath settled upon him by his father-in-law, Andrew Dillon, Esq., who has been and still is a faithful adherent to the King's peace. He got an order for restitution on 31 July last, but it has not been carried out.

As he has been banished for many years from his estate, simply for his loyalty, he is encouraged to pray that the Commissioners of Claims may be directed to take speedy care of his claim. *P.* ¾. *Endd. S.P. Ireland* 307, 147.

The King to the Lords Justices for Patrick Archer.

Directing that the sums due to him be paid him out of the customs of Waterford and Ross. Until means are found for this payment, £205 a year shall be paid to Archer. *Pp.* 1½. Dated 8 July, Whitehall. *S.P. Dom. Signet Office IV. pp.* 730-32.

And three drafts of same. *P.* 1 *and p.* ½ *and p.* ¾. *Endd. S.P. Ireland* 307, 148, 149 *and* 150.

Further Letter of Same for Same.

Recommending Archer and sending one of his petitions. He shall be favoured as far as possible consistently with the terms of the Declaration. *P.* ⅜. Dated 10 July, Whitehall. *S.P. Dom. Signet Office IV. pp.* 736-7. *Followed by—*

Copy of Petition of Archer, on behalf of himself and of his two servants, Luke Maylor and Thomas Walsh, of Waterford in Ireland, showing that :—

Petitioner has always been loyal to the Royal cause. He and his servants followed the King abroad and served him as merchants, never submitting to the usurper, or taking lands in Connaught. He is restorable to his lands, &c., in Waterford and Kilkenny cities and counties, but, owing to his public duties in England, cannot go to Ireland to assert his right. He prays for restoration. *P.* ½. *Ibid. pp.* 737-8.

This concludes the documents relating to this case.

10 July. Whitehall. The King to the Lords Justices for Peter Tyrrell.

Peter is son and heir of Thomas Tyrrell, of Bronockstown, co. Meath. Thomas was always loyal, and Peter was, since his tenth year, abroad at school, and is now servant to the Ambassador of Portugal. His father took no lands in Connaught or Clare. He shall be restored to the lands of which his father was deprived by the usurper. *P.* 1. *Ibid. p.* 739.

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10 July. Whitehall. SIGN MANUAL WARRANT to the LORDS JUSTICES.

Directing them to give order for passing a patent containing a grant to Edward Rotheram, Esq., of the place of feodary of Leinster. *P.* ⅔. *Countersigned by* Nicholas. *Add. S.P. Ireland* 307, 151.

General date 11 July. DOCUMENTS RELATING TO THE CASE OF JEPHSON MAGUIRE.

Petition of Jephson Maguire to the King, showing that:—

Petitioner has been constantly loyal and faithful to the King and to King Charles I. He commanded as lieutenant of foot under Charles I and at the storming of Lyme was so wounded that he lost his eyesight. The King took notice of him for his relief in the march from Wolverhampton to Lichfield, all of which the Earl of Linsy [Lindsey] and Lord Ashton can certify. Petitioner did not get his arrears as most of the army there did.

He prays for an allowance out of the city or liberty of Waterford. *P.* ¾. *Underwritten with—*

Certificate by the Earl of Lindsey, that the contents of the petition are true *and endd. with note similar in substance to next but one. P.* ¼, *in all, p.* 1. *S.P. Ireland* 307, 152.

Copy of further Petition of Same to the King, similar to foregoing petition.

Petitioner served as a lieutenant under Lord Broghill and, at the storm of Lyme, received a wound on the head from the blow of a stone which destroyed his eyesight, &c., &c. [*as above*]. *P.* ½. *Ibid.* 153.

The King to the Lords Justices for Jephson Maguire.

Maguire's loyal service and present blindness "are vehement orators for our princely compassion." You shall grant him a pension of £40 out of the rents and profits due from the city or liberties of Waterford. *P.* ½. Dated 11 July, Whitehall, *with marginal note* "no fee." *S.P. Dom. Signet Office IV. p.* 738.

This concludes the documents relating to this case.

12 July. Whitehall. The KING to the LORDS JUSTICES for SIR EDWARD SUTTON.

Directing that as a reward for his services he be preferred to all other applicants for the right to grant licences for the sale of ale and beer in Ireland. The licence shall be set for 21 years at such rent as the Lords Justices think right. *P.* 1. *S.P. Dom. Signet Office IV. p.* 759.

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13 July. Whitehall. The KING to the LORDS JUSTICES for SIR EDWARD BRABAZON, son of the EARL OF MEATH.

Directing that he be made captain of one of the companies now vacant by the deaths of Sir Patrick Wemyss, Sir Robert Sterling and another captain. *P.* ⅔. *S.P. Dom. Signet Office IV. p.* 741.

Same. SAME for ALDERMAN GEORGE PEPARD, of Drogheda.

It appears from the petition of Pepard and of the widow and orphans of his brother Robert, that they contributed much for the defence of Drogheda and Dundalk in 1641, thereby defending them against the rebels. £850 are due to George Pepard, and the Irish Committee of the Privy Council think that he is within the Declaration [*details given*]. The sum of £850 shall be set out to the petitioners according to their several interests out of lands and houses in Ireland which are disposed for [payment for] provisions, arms, &c. *Pp.* 2. *Ibid. pp.* 745-6.

15 July. Whitehall. SAME for SIR GEORGE BLUNDELL.

Directing that he be a Commissioner for the management of the Customs and Excise of Ireland. *P.* ¼. *Ibid. Vol. V. p.* 3.

Same. SAME for JOHN SEAGRAVE, ESQ.

We hear that in spite of our grant of restoration to Seagrave, his town of Cabragh [Cabra] and other lands have been detained from him by you, the Earl of Mountrath, and Sir Richard Kenedy upon *custodiums* out of the Court of Exchequer. These grants shall be annulled and he shall be put into possession of his estates. *P.* ½. *Ibid. p.* 4.

16 July. Whitehall. SAME for JOHN CAREW, of Garricoe, co. Cork.

The Earl of Drogheda and Viscount Loftus recommend on his petition that he be restored, notwithstanding any grant made to Sir Henry Teut [?]. Carew shall be restored to all the lands whereof he or his mother was dispossessed by the late usurped power. Clauses for execution (*see above p.* 179 *note*). *Ibid. pp.* 2-3.

Same. SAME for RICHARD, EARL OF CLANRICARDE.

Ordering that he be restored to his estate in Ireland and have the right to levy arrears on it for the last half year. The Dowager Marchioness and her daughter, Lady Margaret, shall have their jointures. *Pp.* 1¼. *Ibid. IV. pp.* 757-8.

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[About same.] DRAFT of the KING to the LORDS JUSTICES for the EARL OF CLANRICARDE.

Directing that he have full benefit of the King's late Declaration. *P.* ½. *Endd. S.P. Ireland* 307, 154.

16 July. Whitehall. The KING to the LORDS JUSTICES for JOHN FORSTER, of Ballydoude [Ballydowd], co. Dublin.

Forster and his father, George Forster, were peaceable and loyal during the rebellion. Part of John's land is in our hands and part in the hands of one Burton and others. John Forster shall be restored to all his lands in the city and liberties of Dublin and elsewhere. Clauses for execution (*see above p.* 179 *note*). *Pp.* 1½. *S.P. Dom. Signet Office V. pp.* 88-9.

17 July. Whitehall SAME for JAMES BUCK.

By letters of 1646, King Charles I. granted the office of Clerk of the Markets throughout Ireland to James Buck and Oliver Walsh. Oliver is dead. You shall confirm the office to James Buck and his son, or the survivor of then. *P.* 1. *Ibid. IV. pp.* 742-3.

Same. SAME for MATHEW LOCK and MATHEW BARRY.

Directing that they be given the reversion of the office of Clerk to the Privy Council in Ireland expectant on the death or surrender of Sir Paul Davys and his son William. They shall have the full privileges of the office. *Pp.* 1¼. *Ibid. pp.* 743-4.
Also draft of same. *Pp.* 2. *Endd. S.P. Ireland* 307, 155.

Same. SAME for the EARL OF KILDARE.

Directing that he be made Governor of the King's Co., with the usual privileges. *P.* ½. *S.P. Dom. Signet Office IV. pp.* 751-2.

Same. SAME for MARY, LADY DIGBY.

Granting her the wardship of the body and lands of her son, Robert Lord Digby, which is in the King's hands, owing to the death of Kildare, Lord Digby, Baron of Geashill. *P.* ¾. *Ibid. pp.* 753-4.

Same SAME for CHARLES, son of SIR THOMAS LUCAS.

Directing that he have the wardship of the body and lands of Michael Eyons, of Shallon, in the barony of Dulick [Duleek], co. Louth. *P.* ½. *Ibid. pp.* 756-7.

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18 July. Aboard the *Dolphin* Kinsale.

COPY of CAPT. VALENTINE FOWLES to the "Principal Officers for the affairs of the Navy" in Seething Lane, London.

States the facts as stated in enclosure below. He endeavoured to carry out the orders of the Duke of York, but the Lords Justices insisted on his going to Chester, to bring over the Earl of Roscommon and others and said that the King, as he had entrusted them with weighty affairs of state, would certainly sanction this step. Hopes to be in England soon and to serve the King in any way he can. *P.* ½. *Signed.* (*Hol.*). *Endd. S.P. Ireland* 307, 156. *Enclosing*—

Copy of the Lords Justices of Ireland to [*the Duke of York*].

We have employed the Dolphin *frigate, Commander Valentine Fowles, to transport certain noble persons who were awaiting transport from Chester to sit in the Parliament here. We hope the compliance with this order may be no prejudice to Fowles. P.* ½. *Certified by Sir James Shane, Clerk of the Crown. Add. Endd. Dated* 10 *July, Dublin. Ibid.* 156, 1.

19 July. Whitehall.

The KING to the LORDS JUSTICES for the MARQUIS OF ANTRIM.

As his wife's estate is clogged with charges, and his own in the hands of adventurers and soldiers, you shall allow the Marquis £10 a week for his maintenance out of the Irish revenue. *P.* ¾. *S.P. Dom. Signet Office IV. p.* 747.

19 July.

NOTE in the MARQUIS OF ANTRIM'S CASE.

That the King may be pleased to give order to Sir Henry Bennett, to prepare a letter from the King to the Lord Lieutenant for the pension of £10 a week allowed to the Marquis, to give him a *custodium*—to the quantity or value of his own estate till he be restored—of such lands as are not laid out to soldiers or adventurers, and are not in charge in the Auditor's Office—that is to say are new discoveries—and pay the King no rent. *Other details. P.* 1. *Endd. S.P. Ireland* 307, 157.

20 July. Whitehall.

The KING to the LORDS JUSTICES for ARCHIBALD CAMPBELL.

Directing that he be appointed Clerk of the Docquets in Ireland for life. *P.* ½. *S.P. Dom. Signet Office IV. pp.* 765-6, *ad fin.*

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Latest date 20 July. NOTES in NICHOLAS' hand of matters discussed at the COMMITTEE (of the PRIVY COUNCIL) for IRISH AFFAIRS.

14 *May.* Lady Waller's petition. The Chief Justices of England to report and make a recommendation concerning Lady Boulton's jointure.

Capt. Reed's grant—word soldier to be added. The petition of Limerick deferred till the Duke of Ormond is present.

Diverse Irish traders who were expelled for loyalty complain that, having returned to Galway and elsewhere, they are not allowed to trade [C. B.][1]

The [Popish] lawyers in Ireland taking the oath of allegiance may plead in Ireland and have the liberties of, '28[2] [C.B.].

Recommendations concerning Lord Taaffe and Mr. Taaffe (*with details*).

Case of the [arrears of] officers before 1649. Their demands to be no further complied with than is consistent with the Declaration.

30 *May. Details.* The petition of the officers of the Scotch army sent into Ireland in 1642 would, if complied with, destroy the scope of the Declaration.

The petitioners must resort to the ——— of Scotland, who are to satisfy them.

4 *June.* Lord Muskerry to be satisfied for arrears and disbursements. The sums to be stated there.

Mr. Bellings' letter. To leave out the mention [?] of his merit. Was secretary to the [Council?] of rebels.

James Fitzgerald to say where his estate lies [?].

Walter Hope's petition to be expedited.

There is nothing [?] to be done for Viscount Roche's daughters.

Lord Tara's children, &c., to be recommended to the Lords Justices.

Hugh King to be restored.

Edward Walshe to be restored, if what he alleges prove true.

5 *June.* The petition of Lady Preston, widow of Col. Francis Netterville, to be dealt with as favourably as may stand with the Declaration.

20 *June.* Dr. Charles Farrell. To be restored speedily. The King is convinced of his loyalty. Petitions of Col. Walter Butler and Col. Pierce Lacy. The lands asked for are restored to the corporations or the '49 men.

6 *July.* Walter Hope [?]. The letter read and approved of.

Colonel John Fitzgerald. Letter to Master of the Wards to consider the petition, and if the facts are as alleged, care to be taken of the King's ward that he be put into good hands for the

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(1) The marginal note "C.B." occurs in one or two places in this document. Possibly it means that this or that matter was referred to or considered at the full Council Board and not only at the Irish Committee.

(2) *i.e.*, those given by the Graces of 1628.

best ordering of the ward's education and estate. Patrick Archer and his two servants, Maylor and Walsh, to be restored [*see* letter of 8 July, *above p.* 378]. Archer to be particularly recommended.

Petition of Oliver Lambert, to be recommended to [the Lords] Justices to be satisfied out of mortgages . . . . made by [?] petitioner's father to the Irish and which are forfeited to the King, if petitioner can make it appear that his father had the right to redeem those mortgages.

13 *July.* Talbot of Malahide. The Act of 16 and 17 Car. I. declares all pardons void for any that were taken in rebellion. He has an order already which declares him an innocent Papist, and ensures him restitution, referring him to the Commissioners for the execution of the Declaration.

Petition of the inhabitants of Cork. They are to apply to the Commissioners for executing the Declaration, and to put in claims according to the Proclamation of July 12.

£10 a week to the Marquis of Antrim, out of his own lands [*see* letter of 14 July, *above p.* 382].

20 *July.* Petition of Francis [?] Lye. The petitioner to be allowed the favour of the King's Declaration, if what he says is proved true [*see* letter of 26 July]. *P.* 2¾. *Endd. S.P. Ireland* 307, 158.

23 July. The Examinations of Randall, Marquis of Antrim taken before Sir Wm. Domvile, Attorney-General, and John Temple, Solicitor-General, by virtue of an order from the Lords Justices of Ireland.

He does not know, nor did he ever hear or say, that the late King was privy to the insurrection in Ireland or that he gave any commission for the raising thereof "and is sure that he was not privy thereunto." He had several letters from the King after the outbreak of the rebellion, but does not remember what they were. He never had any message from the late King to seize upon or surprise the Castle of Dublin or the Lords Justices. He does not remember having had any message or direction from the late King to raise any forces in the Kingdom or for any such intent or to overawe the Irish or English Parliament. He received no message from the late King by Captain Bourke. He knew Captain Bourke, but does not know whether he is alive or dead. He remembers no direction coming from the late King to keep up the 8,000 men raised by the Earl of Strafford or to increase their numbers. Nor does he remember anything of any letters which came to the Duke of Ormond from the King about raising forces in Ireland or any discourse on that subject between the Duke of Ormond and himself; nor that at any time before the rebellion he imparted any message that he had received from the King to Lord Gormanstown or Lord Slane.

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Defendant was often in Ireton's camp when he was in Ireland, but does not remember that he ever had any discourse with the said Ireton or the Bishop of Clogher, Col. Sankey, Col. Reynolds or Col. Venables about the breaking out of the late rebellion, or about a message that came from the late King about the time of the breaking out of the rebellion, relative to the raising of forces in the Kingdom. He does not remember having given a relation of any such matter to any officer in Ireton's army. *Pp.* 3¼. Dated 23 July, 1661. *Signed by the* Marquis of Antrim *and by the* Attorney and Solicitor General. *Endd. S.P. Ireland* 307, 159.

23 July. Whitehall. The KING to the LORDS JUSTICES for EDWARD GREGG.

Directing that, if they find it fit, they remit the sentence of death passed on him for stealing a mare. *P.* ½. *S.P. Dom. Signet Office IV.* 755. *Followed by—*

PETITION of GREGG to the KING, showing that:—

"Being drawn away by ill company" he "did most unhappily take up a mare in the field near Dublin," value 40*s.* He intended to ride to Armath [Armagh]. He was seized on the way for the felony and imprisoned, to the ruin of himself and his wife and three children. For this crime he will suffer death.

He prays for mercy. *P.* ½. *Ibid. p.* 755-6.

Same. [SECRETARY NICHOLAS] to the LORDS JUSTICES.

It was decided at the Council Board that no licence should be granted for carrying wool out of Ireland into foreign parts, "because the Dutch, having now great quantities of Spanish wool, cannot make cloth of it unless they may have English or Irish wool to mix with it." Accordingly Sir Francis Hamilton's grant is staid. Nothing has been done here about issuing coronation pardons in Ireland. Some think that they would be ineffective before the Irish Parliament passes the Act of Indemnity and that they would be unnecessary afterwards. I am ordered to direct you to prepare an act for naturalizing and giving such other privileges as you think right, to such Dutch as shall come to inhabit in Ireland within seven years. *P.* 1. *Entry. S.P. Ireland* 308, *p.* 59.

24 July. Whitehall. The KING to the LORDS JUSTICES for CAPTAIN JOHN WADLOWE.

On 22 October last we appointed one Wadlowe, Governor of Sutton's Hospital. We are informed that one John Paine keeps possession of, and executes the office. You shall call Paine before you and shall put Wadlowe into the place. *P.* 1. *S.P. Dom. Signet Office IV.* 760.

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26 July. Dublin. SIR JAMES SHAEN to SECRETARY NICHOLAS.

Concerning the bringing over from England of letters for certain offices in Ireland. *P.* ½. *Add. Endd. S.P. Ireland* 307, 160.

26 July. Whitehall. The KING to the LORDS JUSTICES for FRANCIS LYE, of Rathbride, co. Kildare.

Lye petitions for patents of restoration in accordance with our order of December 18 last. He shows that his father John was always loyal and died a captain in our service in foreign parts. Neither the present petitioner nor his father accepted lands in Connaught or Clare. He shall be restored to his father's lands. *P.* ⅔. *S.P. Dom. Signet Office IV.* 761.

And two drafts of same. *P.* 1 *and pp.* 2¼. *Endd. S.P. Ireland* 307, 161 *and* 162.

Same. SAME for SIR WILLIAM NEALE.

Confirming to him the command of the troop which has just been resigned by John, Lord Roberts [Robartes]. *P.* ½. *S.P. Dom. Signet Office V.* 2.

27 July. Whitehall. SAME for JOHN LADD, of the Isle of Wight, Merchant.

Licensing him to transport 100 bags of wool from Ireland to England. He had bought this wool before the prohibition on its transport came into force. The wool shall not be sent to foreign parts. *P.* ⅔. *Ibid. IV.* 764.

About same. DRAFT FORM of a LICENCE to transport WOOL from IRELAND to ENGLAND.

It is given by the Lords Justices and alleged to be given at the instance of Parliament. The licensee is to give bonds of three times the value of the wool, not to land it in foreign parts or elsewhere, but at London, Exeter, Plymouth, Minehead, Barnstaple, Bristol, Liverpool, or Westchester. *Details. Pp.* 1½. *Add. to the officers of the customs of the port of* ———. *S.P. Ireland* 307, 163.

30 July. Council Chamber, Dublin. COPY of the LORDS JUSTICES and COUNCIL to SECRETARY NICHOLAS.

Although we do not often interfere in cases concerning private persons we do so in the case of Sir Paul Davys, clerk of the Council here.

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On March 30 last, the King's letters of March 23 reached us directing us to cause patents to be passed granting to Sir Paul and his heirs for ever the lands of Westpelstown [Westpalstown], Barnonstown [Brenanstown], Muragh [Murragh] and Newtown and half the town and lands of Leestown [Leastown][1], all in the co. Dublin, whereof John Finglas, of Westpelstown, attainted of high treason, or any person in trust for him, was seized on the day of his attainder. We have been unable to make him this grant owing to the restriction laid upon us by the King, and we did not like to insert a special clause for his benefit in the Bill now passing here for the better execution of his Majesty s Declaration. We think that in recognition of his great services a bill of this kind should be passed. *Pp.* 1½. *With signature (not autograph) of the* Lords Justices and fourteen of the Council. *Endd. in* Davys' *hand. S.P. Ireland* 307, 164.

31 July. Whitehall. The KING to the LORDS JUSTICES for COLONEL MILO POWER.

Directing that steps be taken to set out to him lands to the value of £500 a year in Ireland. *P.* ½. *S.P. Dom. Signet Office V. p.* 9.

Same. LICENCE for VISCOUNT GORMANSTOWN.

To pass the seas to Ireland with his servants, trunks, horses, goods, mares, geldings, &c. *P.* ¼. *Ibid. p.* 12.

[31 July.] PETITION of CAPTAIN WALTER WALSH to the KING, showing that:—

Petitioner served the late King, and also the present King, to the utmost of his power, both at home and abroad. He was imprisoned for this and wounded in the King's service, as the Duke of Ormond can testify. He is now left destitute of subsistence and casts himself on the King's favour.

He prays for leave to "ride in such a troop in Ireland as his Grace the Duke of Albemarle shall think fit, and therein receive pay as captain reformado," which will enable him to live comfortably. *P.*½. *Underwritten with—*

Order, dated 31 July at Whitehall, recommending the petition to the Duke of Albemarle. *Endd. S.P. Ireland* 307, 165.

31 July. A DECLARATION of the LORDS SPIRITUAL and TEMPORAL and of the COMMONS in PARLIAMENT assembled for the speedy raising of moneys for the King's service.

As we hear that the Lords Justices have agreed upon and transmitted a "pole bill" into England for leaving [levying] of money according to such proportions and by such rules as are

(1) Spelt apparently Lurtown in the grant of 23 March (*supra p.* 273), which misled me into suggesting Laurestown as an identification.—*Ed.*

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mentioned and expressed in the late General Convention of Ireland, bearing date 1 March, 1660 [1661], and as the time is too short to pass this bill returned, and as the necessities of the King's army are great, we declare and agree that the moneys intended to be levied by that bill shall be applotted and collected by 10 September next in the manner and according to the rules laid down in the ordinance of the late General Convention, and shall be paid over to the Earl of Shrewsbury, Treasurer and General Receiver of Ireland. Payments made hereunder shall be deemed to be made under the Poll Bill, but the rules above mentioned shall not regulate payments made in respect of their estates by the Lords Spiritual and Temporal. *P.* ¾. With order for printing. *Dated as above and with note that* it was printed by John Crook, printer to the King in Dublin in 1661. *Entry. S.P. Ireland* 309, *p.* 1.

31 July — FURTHER DECLARATION of the SAME concerning the continuance of the CUSTOMS, EXCISE, and NEW IMPOST.

These shall continue to be levied at the present rates and under the present rules until 1 Dec., 1661. Provided that all horses, nags, mares, colts or garrons, thirteen "handful" high or under and costing £7 or less may hereafter be exported to any part of the King's dominions, paying only 2*s.* a head. *P.* 1. *Entry. With order and note as foregoing.* The note adds that this order is sold by John North, bookseller in Castle Street, Dublin. *Ibid. p.* 2. Also another entry of same. *Ibid. pp.* 32-3.

About 31 July. — The LORDS JUSTICES to SECRETARY NICHOLAS.

Viscount Shannon purchased of Lieut. Col. Henry Flower and Lieut. Col. Staples certain lands which were set out to them for arrears for service in Ireland. These lands had been forfeited and were of the estate of Sir George Hambleton [Hamilton] and Sir Valentine Browne, who are named as restorable in the Declaration of November 30, 1660. Yet they are restorable subject to the rule that soldiers in possession on the 7th of May, 1659, should have reprisals to the value of what they should be dispossessed of, to be legally set out to Adventurers and soldiers, and in the meantime they were to hold the same with the rents, as also to have satisfaction for reparation of houses and usable improvements, according to express provisions in the King's declaration. Lord Shannon now complains that he is dispossessed of the lands [in question] without compensation, and desires us to send the complaint to the King. He desires to be reprised with lands of equal value and also that he may have consideration for building and improvements and for the rents which he would have received during the time he has been outed. We are to ask that he may be reprised out of such land as is set out on the

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doubling ordinance on English arrears in this Kingdom, and also that he may be empowered to pass a patent thereof. We request an answer. *P.* 1. *Signed by* the Justices. *Add. Endd. in* Nicholas' *hand.* R[eceived] 9 August. *S.P. Ireland* 307, 166.

About 31 July — [Secretary Nicholas] to the Lords Justices.

Having formerly ordered that the Marquis of Antrim should be allowed some part of his estate for his maintenance the King now directs that he shall be paid this sum out of such parts of this estate in the baronies of Dunluce and Kilconway as are allowed to any person on the doubling ordinance and will thereby be taken off as exceeding that part which is justly due to him. Soldiers or adventurers in possession of such parts of the Marquis's lands in the baronies as aforesaid shall be immediately reprised out of any other lands now in the possession of the King in order that the lands of the Marquis of Antrim as aforesaid may be set free. *Two copies. P.* ¾ *and p.* ½. *One endd. in* Nicholas' *hand. S.P. Ireland* 307, 167 *and* 168.

Same. — Draft of the King to the Commissioners of Settlement and the Barons of the Exchequer in Ireland.

Directing that Patrick Sarsfield, of Lucan, co. Dublin; Christopher Archbold, of Tamaline [Timolen], co. Kildare, Dudley Colclough of [Tintern], co. Wexford, and Gerard Lynes, of the Knock, be restored to their estates, which are not in the hands of adventurers. They are recommended by the King's mother. Clauses for execution (*see above p.* 179 *note*). *P.* 1. *Apparently drafted* by a foreigner. *Endd. Ibid.* 169.

Same. — Draft of the King to the Lords Justices for Theobald, Lord Taaffe.

Cancelling his debts, and those of his father and grandfather the late John and William Viscounts Taaffe to all of their creditors whose rights have come to the King; also granting to Lord Taaffe the forfeiture of the manor of Ballymote. *P.* 1. *Ibid.* 170.

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1 Aug Dublin. — The Lords Justices to Secretary Nicholas.

Recommending the thirteen members of the Irish House of Commons who are going to London to express their grievances to the King. They are loyal persons and their demands ask for

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nothing which is contrary to the Declaration. They should be assisted in "the great affair with which they are entrusted." *P.* 1. *Signed by* the Justices and by Sir James Shaen. *Add. Endd. in* Nicholas' *hand. S.P. Ireland* 307, 171.

1 Aug. Dublin. The Lords Justices to Secretary Nicholas.

Similar to foregoing for the four Lords who are going to London as representatives from the Irish House of Lords. They cannot recommend the suggestions which the Peers intend to make and which are contrary to the terms of the Declaration, or recommend the increase of the stipends of the judges and others in the civil establishment. *Pp.* 1½. *Signed, &c., as foregoing. Ibid.* 172.

1 Aug. Council Chamber, Dublin. Same to Same.

We recommend Sir Henry Tichborne's petition. He has been constantly loyal to the King and King Charles. He maintained Drogheda against the rebels for four months in 1641-2, and thereby saved Dublin, finally beating the enemy off. Had Dublin been then attacked it might have been taken, as it was not in a posture to defend itself. *Pp.* 1½. *Signed by* the Justices and Sir Paul Davys. *Add. Endd. Ibid.* 173. *Enclosing*—

Petition of Sir Henry Tichborne, Kt., to the King, showing that:—

£632 *are due to him for arrears of pay for* 1641 *and* 1642. £1,689 *are further due to him for the government of Drogheda and Meath from Nov.* 1641, *to* . £816 *are due to him for his journey to Oxford to the late King in* 1644 *and* 1645, *the whole debt to him being* £3,337. *He was imprisoned in the Tower in* 1644 *and* 1645 *for his loyalty. He prays for compensation and that "some drops of* [*the King's*] *flowing bounty may refresh the withered fortune of your decayed petitioner." P.* ⅔. *Endd. Ibid.* 173, 1.

3 Aug. Whitehall The King to the Lords Justices for Widow Worrall, now Mrs. Twigg.

Mrs. Miriam Twigg is the daughter of Wm. Ireland, and widow of Henry Worrall, both of whom suffered for the Royal cause. Worrall was slain in our service. On her petition her now husband, Charles Twigg shall have the first foot company of foot, which shall fall vacant in Ireland. *P.* ½. *S.P. Dom. Signet Office V. p.* 10.

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3 Aug. Whitehall. [Secretary Nicholas] to the Lords Justices.

The King, having heard that there is an intention to send over several Commissioners from Ireland here to inform him on Irish affairs directs me to say that it is his wish that not more than six such Commissioners should come over. Lord Roberts [Robartes], at the King's desire, has given up his troop and it is given to Sir William Neale. The King wishes absolutely that the Lord of Ossery shall have the first troop that falls vacant. There is no news as to when the Progress will begin. I think it will not be before the beginning of September. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 60.

5 Aug. Kensington. The Duke of Ormond to Secretary Nicholas.

Recommending that John Percival, the son of [the late] Sir Philip, be given a baronetcy. Sir Philip was a very loyal servant of the late King, and his son has succeeded him both in loyalty and in a large estate. *P.* ½. *Signed by* the Duke. *Add. Endd. in* Nicholas' *hand. S.P. Ireland* 307, 174.

7 Aug. Dublin. Captain Abraham Yarner to Secretary Nicholas.

I thank you for your kindness and should have done so before, but I have been ill in bed. I now ask you to complete by our favours which I cannot realise owing to Sir Wm. Sambige's [Sandbach's], errors in drawing up my *fiant.* It should give me the place of Quartermaster-General in Ireland and Clerk of the Check. The words "Clerk of the Check" are necessary to enable me to serve the King if the officers should cavil with me. By the Check I hope to save his Majesty some thousands a year and to keep the army constantly ready for service. I want my son Abraham put into the patent instead of my son Francis. *P.* 1. (*Hol.*). *Add. Endd. in* Nicholas' *hand. Ibid.* 175.

Same. Sir Paul Davys to the Same.

John Finglas, of Westpelstown [Westpalstown], whose lands were given to me, was indeed at first a rebel; but later in the war he took the King's side and was killed by the usurper's forces at Drogheda. I think his late action may excuse him from the forfeiture due for his later offences and therefore have cast about to see how I may be otherwise provided for. I think part of the estate of Robert Preston, of Balmedouon [Ballymadun], would be suitable. He himself and his eldest son were attainted, and the son was active in the service of Owen Roe O'Neile. The amount of land which I desire will be shown you by a certificate

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with which my nephew Lock will attend you. The Lords Justices and Council have asked that a proviso may be inserted for me in the bill of Settlement. *P.* 1. (*Hol.*). *Add. Endd. in* Nicholas' *hand. S.P. Ireland* 307, 176. *Enclosing*—

Copy of Return of the value of certain lands in the parish of Balmedon [Ballymadun], in the Barony of Balrothery, co. Dublin.

Proprietor.	*Denomination.*	*Estimated profitable and unprofitable acres. Profitable.*	*Unprofitable.*	*Value in 1640.*	
Robert	*Balmadon*	330	30	(*Jury*)	£72
				(*Comrs.*)	£100
Preston of	*Cordanstown*	250	10	(*Jury*)	£40
				(*Comrs.*)	£65
Balmadon,	*Boranstown*	40	—	(*Jury*)	£6
				(*Comrs.*)	£10
Irish	*Nutstown*	240	20	(*Jury*)	£40
				(*Comrs.*)	£50
Papist.	*Wisetown*	120	20	(*Jury*)	£20
				(*Comrs.*)	£28

Extracted by Thos. Eliot, and with certificate by John Pettie, Deputy Surveyor General. Endd. S.P. Ireland 307, —.

7 Aug. Whitehall. The KING to the LORDS JUSTICES for SIR EDWARD MASSEY, KT.

Directing that he be made a member of the Privy Council of Ireland. *P.* ½. *S.P. Dom. Signet Office V. p.* 14.

Same. SAME for SAME.

Directing that he have the command of the regiment of foot intended to be given to Thomas, Lord Ossory. *P.* ½. *Ibid.*

Same. LORD CHANCELLOR EUSTACE to SECRETARY NICHOLAS.

I desire a grant of the mills and weirs of Kilmainham, which are in the King's hands and not in those of adventurers or soldiers. This is not for my advantage for the mills and weirs "are now set at the "utmost rack," but at £30 a year; "but by reason those weares are a very great nusans [nuisance] unto lands of mine which be near it, being often surrounded by water by reason of those weares." The weirs are not in the lands of adventurers or soldiers, but are let for a year at £30 a year, which rent I am willing to pay. *P.* ½. (*Hol.*). *Add. Endd. in* Nicholas' *hand. Ibid.* 177.

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9 Aug. Whitehall. The KING to the LORDS JUSTICES for CAPT. ROBERT DUNGAN.

Capt. Dungan shows us that in Ireland, and especially in Dublin, great quantities of corn and flour are made into starch to the devastation of corn, whereas the same might easily be made of bran, and suggests that a corporation for making of starch be set up in Dublin. You shall consider the matter, and if you think fit shall set up a corporation for this purpose. The members shall pay a rent of £20 a year and the right of admission to the corporation shall be in the hands of Captain Dungan. *P.* ⅔. *S.P. Dom. Signet Office V. p.* 54.

Same. SAME for the DUKE OF ORMOND.

We had given the Duke the wardship of his nephew, Nicholas Purcell. The ward's late father was seised of the manor of Loughmagh [Loughmoe?], co. Tipperary, and was an innocent person. The Duke shall accordingly have possession of that manor. *P.* ½. *Ibid. p.* 7.

Same. SAME for CAPTAIN JOHN BOULTON.

Directing that he be given a post in Ireland. If there be such a post as surveyor of the posts and castles in Ireland, he shall have that port. *P.* ½. *Ibid. pp.* 12-13.

10 Aug. Whitehall. [SECRETARY NICHOLAS] to the LORDS JUSTICES.

The King is ready to give you leave of absence for three weeks as you desire, knowing that you will leave the government of the country in good hands during your absence. The bill for raising money in Ireland and for continuing the sessions notwithstanding that bill being passed has been read in Council and approved, though many of the Lords here think that the second bill is, as the law stands, superfluous. We now hear that the Commissioners sent over by your lordships and the Parliament will be here to-night, and their affairs may speedily be despatched. The date of the commencement of his Majesty's progress is not yet fixed; and we do not know if he will have one this year before he hears when the Queen will arrive. News of that event is expected at the end of this month. *P.* 1. *S.P. Dom. Entry Book II. p.* 92.

Same. The KING to the LORDS JUSTICES for SIR JOHN BOYS, Gentleman of the Privy Chamber in ordinary.

Directing that he have the wardship of Patrick Macarten, of Lough Millam, in the barony of Killaleartie [Kinelarty], co. Down. *P.* ⅙. *S.P. Dom. Signet Office V. p.* 6.

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10 Aug. Whitehall. The KING to the LORDS JUSTICES for HENRY SLINGSBY.

By the certificates of the Duke of Ormond and others and by the report of the committee of the Privy Council for Irish affairs, it appears that Slingsby's father, Sir Francis, served the Royal cause faithfully. Henry Slingsby was loyal and was transplanted into Connaught by the usurper. He shall be restored to all the lands in which he had an interest by himself, his wives or otherwise, and of which he was dispossessed by the late powers. Clauses for execution (*see above p.* 179 *note*). *P.* 1. *S.P. Dom. Signet Office V. p.* 8.

12 Aug. Whitehall. SAME for MAJOR ARTHUR GRAHAM.

King James I. and King Charles I. chose Capt. George Allen and Lieut. William Graham, both now deceased, to be muster-masters of the undertakers and outrisings in Leinster and Ulster, to see that the undertakers had arms and were ready to muster for sudden defence against incursions of the enemy. Major Arthur Graham shall be appointed to succeed his uncle, Lieut. William, in that post. *P.* ¾. *Ibid. pp.* 4-5.

Same. SAME for JOHN, son of SIR PHILIP PERCIVALL.

Directing that he be made a baronet, with all the usual privileges. *P.* ¼. *Ibid. p.* 5.

PETITION of JOSIAS STEWART, LORD CASTLESTEWART to the KING, showing that:—

Petitioner has been kept out of his estate for nine years by reason of his loyalty. He served the Royal cause under Viscount Montgomery, of Ards. There are several lands in Ireland formerly leased by the King's predecessors, but now lying vacant and given out neither to "adventurer or debenturer." He prays for a lease of 4,000 acres of such lands for 21 years. *P.* ½. *Underwritten with*—

Order, dated 12 Aug., Whitehall, referring the petition to the Lords Justices of Ireland. *Endd. S.P. Ireland* 307, 178.

13 Aug. Council Chamber in Dublin. The LORDS JUSTICES and COUNCIL to SECRETARY NICHOLAS.

We have considered very carefully the means to be adopted for maintaining a standing army in Ireland, a thing essential for our defence against foreign invasion and intestine disorder. We do not see any means of meeting the expense, and fear that it may be needful to rely on remittances from England. This was always done in times gone by. The only other alternative is to raise special taxes here, and that course would certainly lead to the greatest discontent.

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It seems to us possible to raise money by establishing by law the excise and new impost for a longer time beyond March 25th. The bill authorising this excise expires at that date and we are framing a new bill accordingly, enacting that one part of the Excise shall last for the King's lifetime and six months longer, and the other, *vizt.* the whole excise of ale, beer, wine, *aqua vitæ*, hot waters and all liquors, for ever. The part in perpetuity is now offered to be farmed out at £50,000 a year, at present, and good security offered for it. This is more than any of the King's predecessors obtained.

In return for this grant we suggest that the King should assent to an act similar to that in England doing away with the Court of Wards and tenures *in capite* here. We give the following reasons in support of this suggestion :—

1. The wards who were brought up in old times, although trained in Protestantism by special schoolmasters, generally relapsed into Popery, and it was found that many of them joined in the rebellion in an attempt to root out the Protestant religion. Even if these wards had held to the Protestant religion they were too few to influence "the seduced people" and we think these are much better ways, some of which we shall shortly suggest, than the Court of Wards "towards reducing the youth of this kingdom from Popery."

To continue the Court of Wards is to put a certain burden on Protestants without any certain gain.

2. The guardians did not administer the wards' estates for their benefit as they should have done.

3. The tenures *in capite* have never from the time of King Henry II. to King Charles I. been of any use to the King in time of rebellions in Ireland. They were useless in the rebellion of 1641, the greatest of them all.

4. The Court of Wards set up in Ireland by James I. was never "settled by a law" and the officers thereof had great difficulty in making the proceeds worth anything. At most the profits of the court will be £7,500. It will now fall below that figure, as the profits of the tenures *in capite* were the chief source of income of the Court of Wards, and this tenure is to be abolished on all lands which have fallen to the Adventurers.

5. There is now an unrivalled opportunity for planting the country with Protestants and thus of avoiding all rebellions in the future; but this chance will be lost if the Court of Wards remains. Nobody will invest money in land in Ireland if it is to be subject to wardships when he can invest in English land and be free from it. The existence of wardship will further dissuade from coming here men of a class which is not rich enough to buy large holdings, but which can afford to pay considerable fines for leases for lives. If these lands be *in capite* they must be liable to licences or pardons for alienation and other charges. The Dutch, above all, who do not understand the idea of wardship, and, "who by His Majesty's appointment are intended to be naturalised in this Parliament" if they hear that their children may have to yield the profits of lands bought in Ireland to strangers, will certainly not invest in such lands.

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The colonisation by Englishmen is the great hope for this country. Will not the King to gain a certainty of £50,000 or more a year, give up the sum of £7,500 a year or less? We have expressed ourselves clearly and desire your help. *Pp.* 3½, *and Signed* (*Hol*).

Maurice Eustace, *Canc.*	Orrery.	Mountrath.
Ja. Dublin.	Conway and Kilulta.	Shannon.
Hen. Midensis.	Francis Aungier.	Donegall.
Jo. Bysse.	J. Temple.	R. Coote.
Robert Forte.	James Ware.	Francis Hamilton.
Robt. Meredith.	Arthur Hill.	Paul Davys.

Endd in Nicholas' *hand*, "To be further considered at a full Board." *S.P. Ireland* 307, 179.

13 Aug. Council Chamber, Dublin. The Lords Justices to the Same.

As the normal salary of Chancellor of the Exchequer here is only £100 a year, and as Sir Robert Meredith, who was Chancellor under the late King, received £100 a year extra pay, we suggest that, as he still holds that post, his extra pay be continued. *P.* 1. *Signed by the* Lords Justices. *Endd. Ibid.* 180.

13 Aug. Whitehall. Copy of Secretary Nicholas to the Lords Justices.

All the Commissioners sent by your Lordships and by the two Houses of Parliament are now come to the Court and I have received the bills which you transmit to the King. You will receive herewith an answer to what you say in regard to settling the Papists in the towns of Ireland. "The King hath declared at the Board that his Majesty did not intend by his letters of the 22nd of May last to restore them further than to trade and traffique and not to establish them in any privileges relating to magistracy or government in any towns, neither (for ought I hear from some of the chief Irish Papists who are here) did they desire more than to have liberty to live and traffic in Ireland." The two Bills you sent over are passed here and shall receive the Seal and be returned. The Duke of Albemarle has fever, but it is not serious. The King's progress if it be at all this summer, cannot be before the beginning of next month. *P.* 1. *Endd. Ibid.* 181. *Enclosing—*

Copy of the Privy Council to the Lords Justices and Council of Ireland.

The King approves of what you have done for the peace and order of that Kingdom, and thinks you have very circumspectly followed your instructions in the matter of the King's letter of 22 May last. We have considered it, and it was right of you to delay executing it. The letter in question was grounded upon the expressed desire of some of the King's Popish subjects there, who say that they are not

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allowed to traffic there "only for difference of nation and religion." There was not at any time an idea that all Popish natives and freemen generally, should be restored to the cities and towns, whatever part they may have taken in the late rebellion. Such a request would, of course, have been rejected. You should try to suppress that spirit of combination which is shown among those who may partake more of his Majesty's clemency if they show themselves worthy of it.

You should make it clear to those who need to know it, that the King's recent letters were not designed for the benefit of any Papists but such as were innocent within the meaning of the late Declaration and Instructions, and to such others as your lordships thought worthy of favour. All others of the King's subjects may have leave to traffic and trade though they are forbidden to inhabit in cities and walled towns.

You shall prevent and punish meetings of persons who are not conformable to the religion of the country, and who give any terror to the King's Protestant subjects. You shall carefully watch those whom you believe to have correspondence with persons abroad, and who "endeavour assistance" from thence. Pp. 3½. *Dated* 12 *Aug., Whitehall. Signed, Clarendon, Ormond, Southampton, Manchester, Anglesey, H. Cornwallis, Ashley, Dengell Holles, G. Carteret, Ed. Nicholas, W. Morrice. Endd. S.P. Ireland* 307, 181, 1.

13 Aug. Whitehall. The KING to the LORDS JUSTICES for JOYCE, LADY BLUNDELL.

Lady Blundell has suffered much in our cause. Her plate, money and goods were in 1645 seized to the value of £2,000 by Col. Baggott, then Governor of Lichfield. She shall have a lease for 31 years of the issues of juries and post fines in Ireland at such an easy rate that she may make a profit proportionate to her great losses. *P.* ½. *S.P. Dom, Signet Office V. p.* 9.

[Before 14 Aug.] [DRAFT of] PETITION and ADDRESS of the two HOUSES of PARLIAMENT in IRELAND to the KING.[1]

We are thankful for the "progressive miracles" which have restored your Majesty and brought about the settlement. We rejoice that it has been possible to call the three countries respectively to assemble in Parliament. We rejoice at the restoration of the Church after its various "tossings . . . by the violent extremes of some who were of no religion at all and others of all religions but the true." *Other details. Pp.* 1½. [*A flattering address.*] *Signed by* John Keating, Deputy-Clerk of Parliaments. *Endd in* Nicholas' [?] *hand.* R[eceived] 14 August. *S.P. Ireland* 307, 182.

14 Aug. Council Chamber, Dublin. The LORDS JUSTICES OF IRELAND to SECRETARY NICHOLAS.

In answer to yours of the 23rd and 30th of July, we beg to remind you that as to the exportation of wool flocks and such other commodities out of this Kingdom, we never intended or moved for

(1) This address is not to be found in the Journals of Parliament of Ireland for 1661.

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licence to be granted for exportation to foreign parts; nor indeed to any place but into England; nor did we intend it into England generally, but only to special ports there; nor to be shipped here, but only at special great ports; nor did we take the liberty of granting any licences at all in that kind, but deferred it, expecting the King's pleasure therein. But the whole country clamoured and the two Houses of Parliament urgently asked that we would license the exportation of wool out of this Kingdom to England as it had been licensed in times past. We considered this matter with the Board, and as the time for exportation was passing away and it would be a serious inconvenience to the whole Kingdom were it not exported, we decided on 25 July to license the exportation from Dublin, Drogheda, Carrickfergus, Londonderry, Galway, Limerick, Kinsale, Cork, Youghal, Waterford and Wexford, and to the following ports of England only, viz. London, Bristol, Minehead, Westchester, Liverpool, Barnstable [Barnstaple], Exeter, Southampton and Plymouth. We took security that the full custom should be paid and we never issued any licence till the King's letters had come prohibiting the exportation to foreign ports, which was at least an implied licence to export it to the ports of England; and we took security for payment of three times the value of the wool exported [to be forfeited if it were exported into foreign parts] "and experience hath showed that if those that have that commodity in their hands have not licences to export into England they would then, rather than have the same perish in their hands, adventure at what hazard soever to transport the same into foreign parts, where they get quadruple the price and prejudice the trade of England." We have taken the strictest measures to stop transport and are investigating as to the bonds forfeited in the usurper's time an account of such transport.

The number of Commissioners which has gone to England was in excess of what we desired. We would have sent only three members of the Board—a Bishop, a temporal peer and a commoner. Before we received the King's letters saying he wished that not more than six persons should go over, all the Commissioners except Sir James Cuffe and Alderman Noel had gone over. It then seemed to little purpose to stop the others.

We have drawn a bill for naturalising such Dutch as shall come to live here within seven years. It will be good for the country. *Pp.* 1½. *Signed by the* Lords Justices. *Add. Endd. S.P. Ireland* 307, 183.

14 Aug. Council Chamber, Dublin.

The Lords Justices of Ireland to Secretary Nicholas.

A petition was lately exhibited at this Board in the names of Sir Thomas Viner, Kt., Alderman Daniel Bellingham, and William Smithion [or Smithior] and Robert Viner, of London, goldsmiths, taking notice of the great injury done to the King's subjects in Ireland by reason of the general liberty allowed to all to issue brass pence in their own names, and offering suggestions for stopping it.

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A Committee of this Board have considered the petition and have modified the proposals for remedy which the petitioners offered. We send these modified proposals. Please place them before the King. They will get rid of the injustice done to the poor by the brass and copper pence and will bring bullion into the country, thus enriching the country in general and enabling it to pay taxes. *P.* ¾. *Signed by the* Justices. *Add. Endd. S.P. Ireland*, 307, 184. *Enclosing*—

Petition of Sir Thomas Viner or Vyner and others as mentioned in the foregoing, showing that:—

They complain of the issue of brass pence as stated above and send some proposals. P. ½. *Endd. with*—

Order, dated 24 May, referring the petition to the Archbishop of Armagh, Lord Chief Justice of the Chief Place (Santry), the Chief Baron of the Exchequer (Bysse), the Master of the Wards (Piggott), the Master of the Rolls (Temple) and Col. Arthur Hill or any three or more of them. In all, p. 1. *Endd. Ibid.* 184, 1.

14 Aug. Whitehall. The King to the Lord Chancellor and Lords Justices for Lady Davilier.

Sends her petition. The Duke of Ormond testifies to the loyalty of her late husband, Sir John Davilier. She shall be preserved as to all her interest in the office of searcher, gager and packer in the ports of Skerries, Malahide and Wicklow. *P.* ¾. *S.P. Dom. Signet Office V. p.* 7.

Same. Same for Daniel O'Neale, of the King's Bedchamber.

On May 7, we directed that no grant of any part of the estate of the Marquis of Antrim, Alexander MacDonnell or Sir James MacDonnell should pass till you received our further orders. On 18 December last we directed that Daniel O'Neale should have an estate in the barony of Dunluce to make good a rent charge of £400 a year, which he had lost, and arrears of £8,600, which had been secured in 1637 on the barony of Dunluce. Viscount Masseerene was possessed of this estate as an adventurer. We then directed that he should receive reprizals. These orders shall be carried out in spite of our letters of May 7. *P.* ¾. *Ibid. pp.* 10-11.

15 Aug. Council Chamber, Dublin. Proclamation by the Lords Justices and Council.

Tenants and farmers have been backward in paying in their rents to the Exchequer. In order to pay the soldiers and to prevent public inconveniences we gave them assignments of these sums. Two orders of the Parliament of 31 July last have ordered [*see above p.* 387-8, *at this date for substance of orders*], and we are anxious that the King's revenue should be paid in in a proper

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and legal way at Easter and Michaelmas. The tenants and farmers above mentioned and the collectors of the poll money, customs, &c., mentioned in the orders are to take notice and pay in the various sums due from them at the time when they are due.

If any person or persons shall fail to pay in at the proper time the rents, quit-rents, or other sums payable by them—that is to say fail to pay the half year's rents, quit-rents, and all other moneys due and payable to his Majesty yearly at Michaelmas before the last day of Michaelmas term; and fail to pay all rents and other moneys due and payable at Easter before the last day of the Easter term; and the collectors of the poll money fail to pay it in before the 10th of September next, and the collectors of the customs, excise and new imposts fail to pay these at the time when they are due—pursuivants shall be sent to attach them and bring them before us to be admonished. The persons admonished shall pay the pursuivants 2*d.* a mile, going and coming. Those who then make default in payment or who shun the pursuivant shall be justly and strictly punished.

This proclamation[1] shall be published in cities and corporate towns, and the sheriffs shall have it published in the county towns and sheriffs' county courts. *Pp.* 2. *Overwritten by* the Lords Justices, *and signed by* twelve members of the Council. Printed by Crooke and sold by North [*as above p.* 388, *see the Declaration No.* 2 *of* 31 July, 1661]. *Entry. S.P. Ireland* 309, *pp.* 3 *and* 4.

15 Aug. Whitehall. The King to the Lords Justices concerning Captain John Blackwell.

A commission shall be issusd to Sir John Bisse, C.B., Sir John Temple, M.R., Sir Robt. Meredith, Chancellor of the Exchequer, Sir James Ware, Kt., Auditor-General, and Sir Allen Broderick, Surveyor-General, commanding and authorising any of them to make inquiry into a grant made to Capt. Blackwall, to whom land has, as we are informed, been set out in an improper manner. *P.* ½. *S.P. Dom. Signet Office V. p.* 13.

16 Aug. Dublin. The Lords Justices to Secretary Nicholas.

This gentleman, Mr. Nowell, a merchant of experience, who has been of great use of drafting the Excise bills and has been present at the debates upon their reading here, we hope may be allowed to attend when they are being discussed in England as he will be able to explain their details. He will also be able to explain the evils of the coinage. *P.* ¾. *Signed. Endd. in* Nicholas' *hand. S.P. Ireland* 307, 185.

16 Aug. Limerick. Richard Lansdell to the Same.

The Earl of Cork refuses to allow me to occupy the place and perform the duties of Waiter of the Customs of Limerick. I am very poor and beg to be allowed to have the place. Mrs. Gantlet, of Eamsberry, was my mother's sister and I was often with you at

(1) The entries calendared at 31 July, and referred to at end of this paragraph are in the text headed as "Declarations." This one, as will be observed, is styled in the text a "Proclamation."

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Oxford. I hope the Earl of Cork may be recommended by you to show me favour. *Details. P.* ⅔. *Signed. Add. Endd. S.P. Ireland* 307, 186.

17 Aug. Whitehall. FURTHER PROCLAMATION by the LORDS JUSTICES and COUNCIL.

One of the evils under which the country laboured before the Restoration arose from the fact that several persons in the corporate towns took on themselves the right to coin brass or copper tokens without stamps, and sold them for a penny a piece to the people promising to receive them back at their old price whenever they should be called in or decried. They in this way obtained as much as twenty shillings' worth of pure silver for twenty pence worth of brass. Those who had issued them avoided accepting them again, and, hoarding the silver which they had gained, sent it, it is believed, out of the country, which causes the present scarcity of silver here.

We hereby forbid the sale of these tokens or the exchange of them with other persons than those who promised to take them back. We require all those who made them to receive them back and forbid the making of brass or copper coins in the future without special licence. *P.* 1. *Entry. Overwritten by* the Lords Justices, *and signed by* ten members of the Council with note of printing and sale *as foregoing. Entry. S.P. Ireland* 309, *p.* 5.

Same. [SECRETARY NICHOLAS] to the LORDS JUSTICES.

You have been given leave to attend to your own affairs for three weeks. I send two bills, one for raising money, the other to say that the passing of the first or any other bill shall not determine the sitting of Parliament. We shall despatch the bills you have sent over here. The Lord General has been ill with fever, and the Lord Chancellor is threatened with another attack of gout. He cannot walk without a great deal of trouble. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 61.

17 Aug. LORD CHANCELLOR EUSTACE to the SAME.

I fear that you may have heard something against me as I have had nothing from you in either of the last two packets. My conscience is clear.

We are now able to send you bills quickly. Those sent will be of service to the King and raise his revenue higher than ever.

Pray favour my nephew, the bearer, Mr. Maurice Keating. *P.* 1. (*Hol.*). *Add. Endd. S.P. Ireland* 307, 187.

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17 Aug. London. SIR HENEAGE FINCH to LORD CONWAY and KILULTAGH.

A polite letter tendering his services. Lady Finch is ill in her chamber at Kensington. "'Tis a sickly time here, especially in the country. Not a house in Kensington free, and my brother John almost overtaken with a fever." Hopes his sister is well. *P.* 1. (*Hol.*). *Add. S.P. Ireland* 307, 188.

17 Aug. Council Chamber, Dublin. WARRANT by the LORDS JUSTICES and COUNCIL to the EARL OF ANGLESEY, Vice-Treasurer and Treasurer at Wars in Ireland.

In the Declaration of 30 Nov. last, Viscount Netterville was named as one of the thirty-six people to be restored to his estates. Circumstances have arisen which prevent this being done at once. You shall pay him £400 a year under these our letters of *concordatum* till he be restored. *P.* ¾. *Endd. Ibid.* 189.

[Before 19 Aug.] The ARCHBISHOP OF ARMAGH to SECRETARY NICHOLAS.

The Upper House of Convocation have chosen the Bishops of Cork and Elphin to place the state of ecclesiastical affairs of this kingdom before the King and to ask for his favours. Please admit them with the Dean of St. Patrick's, who comes from the Lower House. *P.* 1. *Signed. Add. Endd. in* Nicholas' *hand. Ibid.* 190.

19 Aug. Dublin. The EARL OF ORRERY to the SAME.

We have got leave of absence for three weeks from the King and leave all things in good posture here. We are glad of the King's explanation of his letter of 22 May, regarding the admission of Roman Catholics into corporations, and hope that the Excise Bill and the abolition of the Court of Wards may receive the Royal sanction. We hope the Bill of Settlement will soon be sent over. I shall do my best to get you speedily your £2,000. *P.* 1. (*Hol.*). *Add. Endd. in* Nicholas' *hand. Ibid.* 191.

20 Aug. Dublin. CAPTAIN JOHN BARTLETT to the SAME.

The Lords Justices have not read my letter "of nine months' date," and after having used my vessels as post vessels and for their private affars of State, have turned them out of that service and entered them in the King's service with twenty men in each vessel to carry on their affairs between Dublin and Chester, and to that purpose they have caused letters to be written to the Duke of York. They have caused me to hire two vessels of Swift's which formerly served the postage and another bark. They have called the postmaster before them to make a fitting allowance, but he denies to give anything more than £300 a year, which is

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£114 less than was allowed by King Charles I. to my predecessor, Captain Langford. They say that if I will not take this I must lose my patents, yet in Oliver's time Swift got £500 a year for two vessels. I pray for an order for payment of £114 a year (extra) from the Treasurer here. The farmers here desire that no man that ever served His Majesty shall live under them. I have had no settled salary or payment for attending and despatching the Lords' Justices' letters. I am left out of the Declaration and wish to be in it as *per* enclosed. It is well known that my brother and I helped to save Drogheda and several other places by blocking up the enemies' ships in their harbours, as is well known to the Duke of Ormond. Above 50 members of our family are destroyed. I have incurred debts of £600 for victual and wages in carrying on the Lords Justices' business. *P.* ⅔. *Signed. Add. Endd. S.P. Ireland* 307, 192. *Enclosing—*

Draft of a clause to be inserted in the Declaration in favour of Capt. Bartlett.

It stipulates for the payment to Captains John and Thomas Bartlett, of their arrears for service before 1649. *P.* ½. *Ibid.* 192, 1.

20 Aug. Dublin. ALDERMAN DANIEL BELLINGHAM to SECRETARY NICHOLAS.

Sending an enclosure (*missing*). *P.* ½. *Signed. Add. Endd. Ibid.* 193.

20 Aug. King's Inns. Dublin. PROCLAMATION by the COMMISSIONERS for executing the KING'S DECLARATION for the SETTLEMENT of IRELAND.

The King on 12 July ordered that all persons who had claims to lands under the Declaration should put them in before us on or before 14 Sept., 1661. On 17 March last we directed that all adventurers for lands in Ireland, whether satisfied or not, should state before us in writing within forty days what the sum or sums were in respect of which their claims to land was made, who were the persons in whose names they claimed, where their lot had fallen, in what townland or village they had received satisfaction—if any—and what amount of acres they had received, and what houses they had got in towns in cases in which they had been satisfied with town houses. We further required them, if they had made surveys, to bring in such surveys or duplicates thereof with the field books if they had any—so that their surveys might be compared with those made of those lands by the late pretended powers.

On search in the registry of this Court we find that the adventurers have failed to answer this demand, especially in the matter of the field books and surveys. Consequently the work of this commission is impeded and delayed. We order that all

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particulars aforesaid shall, before 15 September next, be brought into this Court by the adventurers together with the names of the original subscribers of the several adventurer. If this is not done we will report to the Court of Exchequer the names and lands of those who refuse to obey, that they may be seized upon as lands concealed from the King. Several officers, soldiers and transplanted persons had lands set out to them in gross and have made sub-division among themselves; and several such allottees are dead or have assigned their lots, and their title is thus devolved on other persons; but as we have no record of these sub-divisions or devolutions we cannot settle every single person as our directions require. All officers and soldiers who claim to be settled or established in any lands of which they were possessed on 5 May, 1659, shall before 15 September next make up and deliver into the registry of this Court an abstract showing:—

(1.) The debenture in respect of which they, or their predecessors in title claim or claimed.

(2.) The service for which the same [claim in land] was set out.

(3.) How much was for English and how much for Irish arrears.

(4.) What title the possessor or the person from whom he claims had to the said arrears or debentures.

(5.) When and at what time the same were satisfied, with what regiment or company and at what rate?

(6.) A particular of what lands, giving the names of county and barony the possessors claim to be confirmed in, the amount of profitable and unprofitable acres, the names of the former proprietors, and the rent which these lands were or might have *bonâ fide* been worth in 1659.

(7.) A certificate from two justices of the peace of the county in which the possessors or their lands lie, showing that they or their predecessors in title were in occupation thereof on 7 May, 1659. Failing this they must make an oath before the Commissioners appointed for stating the arrears of the officers and soldiers.

Many of the debentures which are in part or in whole satisfied remain in the custody of private persons so that no particular account can be given of them. All "persons" who possess these debentures shall bring them into the registry of the said Court, or, if they do not possess them, shall give a particular account of how they were disposed of and when they received their lands in respect of such debentures. Those who fail in this must know that we cannot settle them in their lands, and that we shall report "such officers and soldiers" to the Court of Exchequer for seizure of their lands as lands concealed from the King. All persons who claim lands in Connaught or Clare in right of transplanted persons and all persons who had decrees for lands in Connaught or Clare, shall exhibit in writing before us within the time aforesaid:—

(1.) A particular of the lands claimed, showing the barony and county wherein they lie.

(2.) The amount, in profitable and unprofitable land, which they claim.

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(3.) The names of their former proprietors and what rent the same are or might be worh *bonâ fide* in 1659.

(4.) The decree of the late Court sitting at Athlone or a duplicate or authentic copy thereof.

(5.) The the final settlement of Commissioners at Loughrea thereupon.

Those whom this will concern shall not fail herein as they expect confirmation of settlement in their estates. If they fail their lands will be reported for seizure as above. *Pp.* 4½. *Entry, with* order for printing dated 20 August, 1661. *Signed by* R. Coote [Baron Collooney], Jo. Bysse, [Sir] Francis Hamilton, Robert Forte, [Sir] James Ware, [Sir] G[?] St. George, Richard Lane and Thomas Browne, *and with* note of printing in sale as in Declaration No. 2 of 31 July above. *P.* 1. *S.P. Ireland* 309, *pp.* 5-10.

20 Aug. Whitehall. The KING to the LORDS JUSTICES for the LORD CHANCELLOR of IRELAND.

Queen Elizabeth by letters patents dated at Dublin on 20 June, 1565, granted the "taches"[1] and watermills near the bridge of Kilmainham on the Liffey, the mill-ponds of Kilmainham and the salmon weirs above the bridge and the water courses, buildings, &c., thereto belonging, to Francis Agard and his heirs at £30 10*s.* 4*d.* They shall now be granted in an equally full manner to the Lord Chancellor of Ireland. *P.* ⅔. *S.P. Dom. Signet Office V. pp.* 11-12.[2]

Same. SAME for LADY ANN LUCAS.

Directing that she have the wardship of the body and lands of John Talbot, of Dardistown, co. Meath. *P.* ⅕. *Ibid. p.* 12.

21 Aug. Council Chamber, Dublin. The LORDS JUSTICES and COUNCIL to SECRETARY NICHOLAS.

By our letters of 18 August, there was advertisement given you of the exceedingly great heights and boldness to which many of the Irish Papists of this Kingdom are grown and of the arrival in Ireland lately of several officers of the King of Spains' army and of many priests and friars to disquiet the Irish and urge them to rebellion. We have since had further disquieting news from different parts. On 22 July, one Andrew Galbraith, taking a distress in the co. Fermanagh for non-payment of rent from one Edmond Maguire, "the said Maguire raised the country to the

(1) *See* Roquefort Glossarie II., 596, where "Tache" is described as "instrument de pêche." I have found no evidence of English usage, except in Gilbert's *Dublin Records* I., 373.

(2) *See* Appendix to 12th Report of the Deputy Keeper of the Records in Ireland, p. 183.

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number of three score besides women and boys, rescued the distress, killed a Protestant and desperately wounded several others." In consequence of this riot several families of the Irish—apparently feeling guilty—have fled. Steps are being taken to bring the culprits to justice.

We hear from Arthur Swanwick, a Justice of the Peace for Mayo, that there are great meetings of the Irish there in spite of directions formerly issued against them. Major Folliott writes from Ballyshannon on 15 August that he arrested one Neill McDavid, suspected of being a friar. He found on him a letter in Irish, addressed colourably to Captain Brookes [or Brooke], one of the Justices of the Peace in that county, that so it might be conveyed with less suspicion to one Edmund McCallaher for whom it was intended. We send the documents including a translation of the Irish letter. "And although that letter be written in a style purposely intended not to be fully understood by any other than those that are complotting in some work of darkness, yet there are in it several dangerous expressions, viz. 'to have the gathering or meeting if it be possible before the time' and 'now I fear it will be later or slower, and if the black winter comes none shall come off dead or alive' . . . . and 'fail not for ever to send me the warning in time.'"

We have ordered the arrest of O'Callahan and that McDavid be sent up here for further examination.

A letter dated 24 June last from one Col. Daniel O'Cahan ("a person of no estate or fortune in this kingdom, but a bold and daring man") should be mentioned. It devises places for correspondence between the Irish in various parts of the kingdom. We did not mention the letter at the time it first came to our notice, but do so now. We have given orders to the Sheriffs of Donegal and Londonderry for the arrest of O'Cahan, where he generally lives, but have not yet heard that he is apprehended.

We must also observe that "divers malefactors who are usually called Tories, persons not amenable to law but stood on their keeping, robbing and spoiling his Majesty's good subjects in the counties of Tipperary and Queen's Co.," lately came in and made submission. They were shown mercy either on their own petition or as an act of clemency on the King's Coronation. "Yet these persons are now again relapsed into their former rebellious courses" and plunder as they did before. In one case they mutilated one whom they killed, and we believe that they are encouraged by the Jesuit priests and friars who are now coming into the kingdom. Many Irish who have been officers in the King of Spain's army have returned to Ireland. We have arrested several of these men pending word from the King as to what is to be done with them. *Pp.* 2½. *Signed by* the Lords Justices (except the Earl of Orrery) and by eight members of the Privy Council of Ireland. *S.P. Ireland* 307, 194. *Enclosing*—

1. *Daniel O'Cahan to Owen O'Rorke in Leitrim.*

Suggests a combined effort for prosecuting for their estates. Gives the names of James Dougherty at Londonderry, James Lee,

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merchant at Londonderry, and the postmaster at Dublin, to which letters may be sent for him; and asks for Owen O'Rorke's address, suggesting that letters might be sent colourably to Lieut. Brine Cuniggam [Bryan Cunningham], at his garrison at Drumrusq [Carrick on Shannon] recommended to the postmaster at Boyle. P. 1. *Dated Lifford, June 24th,* 1661. *(Hol.). Add. S.P. Ireland* 307, 194, 1.

2. *Anthony Swanwick to Lieut. Francis Brent at Bellinrobe [Ballinrobe].*

There has been a great meeting of Irish at Ballagh in the barony of Clanmorris, at a well they call Our Lady's well. I send news of it that you may send out a force of men to arrest the principals. I should have gone with you, but that I am very ill of the toothache. P. 1. *(Hol.). Dated, Moyla,* 14 *Aug.,* 1661. *Ibid.* 194, 2.

3 *Major John Folliott to the Lords Justices.*

I have captured McDavid [as mentioned above] *between Donegal and Barnesmore. The enclosed letter in Irish colourably addressed to Capt. Brooke was found on him. He was examined by Captain Brooke at Donegal. McDavid tried to slip the Irish letter into an Irish gentleman's pocket who was present in the room, thereby increasing the suspicion against him. We cannot get the letter translated here, probably because all the Irish here are Papists and are unwilling; but I send the Irish letter with the best translation I could get made. McDavid has confessed that he is a friar. The Irish want us very much to release this man on bail, but we have decided not to do so, pending orders from your lordships. The examination took place long after the arrest, but this is because I had to spend several days riding abroad and trying to get the letter translated. P.* 1. *Dated Ballyshannon,* 15 *Aug.,* 1661, *with seal with crest of the Ffolliotts. Ibid.* 194, 3. *Enclosing—*

3*a*. *The Irish letter above described as follows:—*

A Eamuinn,

*As jada liom go bjaghaim aon-jhocal uaibh go hairigthe o thainig an buaidhirt deighionach so nar saoil*edh. *As é ní do bo mhian le Maoilsechlainn an criunniug*adh [*criunniughadh*] *do beth aige, da madh éidir é, roimhe an am, agus anois, as egail liom go mbiaidh níos maille, agus ma shruighionn an duibgheimhredh, ni thiucfa beo na marbh aon-duine ass, agus cidh be oile* et reliqua. *Da mbeth impidh agam orra, do chuirfidís duine anonn d'iarr*aidh *continuasion go ttig*idh *socraidhecht aimsire, no d'iarr*aidh *ceada an difinitorium cum Ministro Prouinciali do dhenam an iomláin. Agus d'iarrasa so do dhenamh san ceruinniu*ghadh *deighion*ach *Per compromissum guardianorum, agus do leigiodar tarsa é, daigh dob fhearr sin do dhenamh na an t-iomlán do mhill*edh *a n-aoin*fhecht *quod Deus auertat.*

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*Dob fhearr liom da sruighthidh air, go mbiadh an comairle so ag Maol*sechlainn. *As fesach e féin agus Coluim (as truagh liom nach bfuil hall anois) gur misi tug solas roimhe so do chach san ccás as cruaidhe do bhi ag an b-Probhinsi anuair do sheólas iad go Maldonado. Do cluinim go ndeach*aidh *Cathal go Connacht*aigh, *agus Antoine roimhe sin. Cuiridh a scéla chugainn, agus connas atathaoi féin no muintir Gaotha bera, agus gach ni oile o bhel no o scribhinn. Ni ragam a leas aon dadamh ar leith do chur go Col*uim *tar mo bennacht. Acht madh áil leis féin, scriobh*adh *go Heoin o Regl*aoich, *no go Honórainn Riabh*aigh. *Agus na faill*ighidh *go brath an fuagra do chur chugam a n-am; agus guidh*idh *ar an b-Pechth*ach *Ant.*

P. 1. *Add. (falsely) to Capt. Henry Brooke. S.P. Ireland* 307, 194, 3*a*.

Translation.[1]

Dear Edmund,

I am waiting impatiently for some word from you, especially since the coming of this late unexpected trouble. What Maolsechlainn wanted was to have the gathering, if possible, beforehand, and now I am afraid it will be later, and if the rigour of winter set in, not a man nor any other creature will get off alive or dead, &c. Could I prevail on them, they would send a man yonder to ask for *continuation* [postponement?] till the fine weather come, or to ask leave to make the *definitorium cum Ministro Provinciali* for the whole business [completely?]. And I myself tried to do this at the late gathering *per compromissum guardianorum*, and they put it aside because it was better to do so than to ruin the whole affair altogether—*quod Deus avertat!* I should prefer, if he would agree to it (?), that Maolsechlainn should adopt this counsel. He knows himself, and so does Coluim (I am sorry he is not there now) that it was I who formerly gave comfort to every man in the Province's severest troubles, when I guided them to Maldonado. I hear that Cathal [Charles] has gone to Connaught, and Antony previously. Send us news of them, and tell us how you are yourself, or the folk of Gaoth Bera [Gweebarra?] and so forth, by word of mouth or by letter. We need not send any message in particular to Col[uim] except my blessing; but if he himself likes to do so let him write to John O'Regley or to Honorainn Riabhach [Honor Mc'Reevey]. And for heaven's sake don't fail to send me the orders [or, warning; or, proclamation] in time; and pray for the

Sinner,
ANT.

3*b*. *Translation of the above sent by Captain Folliott.*

"*Edmond,*

"*I long to hear one word from you, especially since this last trouble happened not expected. It is the thing that M'Laghlen minds to have the gathering (or meeting) if it be possible before the time, and*

(1) I am indebted to Mr. E. J. Gwynn, M.A., Fellow of Trinity College, Dublin, for this transcription and translation.

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now I fear it will be later (or slower), and if the black winter comes none shall come off dead or alive, and what more, &c. If I could entreat them they should send one over to ask a continuation until time were quiet (or settled) or to ask leave the Di fitorium cum ministro Provinciali [sic] to do or act the whole; and I sought to do this in the last gathering or meeting per cumpromissum guardianorum and they sleighted it. It were better so to do than to spoil the whole altogether, quod Deus avertat. I would wish if it would come to him that Maoyl had this counsel. He knows (and Columb who am sorry is not beyond now) [sic] that I gave light before to the people in the hardest case that the province had when I directed them to Maldonado. I hear that Cahall went to Connaught and Anthony before that. Send us news how yourselves do or the people of Goahbera [Gweebarra ?], and everything either by mouth of [? or] writing. I need not send any other in particular to Coll. except my blessing, but if he please to write to John (or Eoyn), O'Regly, or to Honora Neagh, and fail not for ever to send me the warning in time and pray for me." P. 1¼. *Dated* 4 *Aug.*, 1661. *Endd. S.P. Ireland* 307, 194, 3 *b.*

3c. *Examination of Neale McDavid, who deposes:*

He was on his way from Mayo to Inishowen when arrested. Had been in France and Flanders all the time of the wars. The letter found on him with the false address was really intended by Richard or Anthony O'Doherty, who lives in Inishowen, for Edmund O'Callaher "a person wandering here and there as this examinate doth." P. ¾. *Signed by McDavid and certified by John Ffolliott and Henry Brooke. Dated* 14 *August*, 1661. *Endd. in Nicholas' hand. Ibid.* 194, 3 *c.*

21 Aug. Whitehall. The KING to the [LORDS JUSTICES ?] for the SOLICITOR-GENERAL for IRELAND.

On July 6 we directed that warrants to draft grants of pardon should be sent only to the Attorney-General. We find that before that date the practice in these matters in Ireland was similar to that in England (*i.e.* warrants were directed to the Attorney or Solicitor-General). This course shall be observed as heretofore. *P.* ½. *S.P. Dom. Signet Office V. p.* 14.

23 Aug. Whitehall. The KING to the LORDS JUSTICES.

Giving equally between them the sum of £10,000 out of the remaining moiety of forfeited bonds for transporting wools and other forfeited bonds in the Exchequer and Customs Office of Ireland. Half of these sums—which remain over in the Exchequer from the usurper's time—have already been granted to Parker. *P.* ¼. *Ibid. p.* 13.

And draft of same. *P.* 1. *Endd. S.P. Ireland* 307, 195.

Also another draft dated in error, 14 Sept., 1661. *Ibid.* 196.

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23 Aug. Whitehall. The KING to the LORDS JUSTICES for ROBERT READING.

Reading's petition informs us that there is a sum of £400 a year, issuing out of the estate of Thomas, Viscount Dillon, payable to Oliver, Lord Louth, in right of Lady Mary MacDonnell, his wife, for the term of her life. This sum by reason of the treason and outlawry of Oliver is forfeited to us, and Lord and Lady Louth are not restorable by us because they took lands in Connaught or Clare. The £400 a year is consequently in our hands and shall be granted to Robert Reading. *P.* ½. *S.P. Dom. Signet Office V. p.* 15.

Same. SAME for DANIEL O'NEILE.

Correcting a previous grant and directing that O'Neile have the wardship of the body and lands not of William, but of Richard Persons, of Bellamont, co. Dublin. *P.* ¼. *Ibid.*

24 Aug. Whitehall. [SECRETARY NICHOLAS] to LORD CHANCELLOR EUSTACE.

The King has granted your request about the mills and weirs of Kilmainham. Sir Robt. Stewart was here lately and was an earnest suitor that Sir Francis Hamilton should have them, but your letter came before he had got them and the King preferred your suit. I send you the grant for [£10,000 *see above p.* 209]. The Duke of Ormond spoke highly of you to the King. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 62.

Same. [SAME] to the LORDS JUSTICES.

Yours of 13th and 14th August received. The King is pleased at the licence you have given for the export of wool to England and the conditions and limitations you place upon it. The question of copper pence is being considered by a committee appointed to consult with the officers of the mint here. You will receive herewith the grant of £10,000 out of the forfeited bonds in the Exchequer and Customs Office in Ireland. *P.* ½. *Ibid. p.* 63.

Same. [SAME] to the EARL OF ORRERY.

Similar to foregoing. You hint [*see the Lords Justices letter of* 13 *Aug. above pp.*] that you know a course which would be more effective in converting the Irish youth from Popery than the Court of Wards. The King would be grateful if you would tell him what it is, as he greatly fears that if the Court of Wards is done away with it will prevent the education of many young Irishmen in the Protestant religion. The King approves your bill for naturalizing the Dutch, and thinks you should include in it other Protestant strangers; "for there are now many Protestants in France, Flanders, and other parts that are industrious people, that, if they might be there naturalized, would come over, as its believed, and bring over with them persons skilled in making several sorts of manufactures." *P.* ⅔. *Entry. Ibid. p.* 64.

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24 Aug. Whitehall. The KING to the LORDS JUSTICES for the EARL OF CORK.

Directing that he be satisfied for his arrears out of the forfeited lands and houses "within the town and liberties of the city of Youghal." *P.* ½. *S.P. Dom. Signet Office V. p.* 15.

25 Aug. Dublin. DOROTHY RYVES to MR. WILLIAMSON.

I cannot get the Lords Justices to do anything for me in the matter of the King's letter. Pray speak to Mr. Secretary, that he may mend what is amiss. Had I means I should go to London to see to this business with the bearer—my kinswoman by Sir Wm. Ryves and my sister by my now husband—and she is Sir Adelly Marvin [Sir Audley Mervin's] sister. She has promised to deliver these or to give them my sister, Lady Ryves. I did not doubt of the firmness of my letter because you did assure me so much on the doubt the Earl of Anellseay [Anglesey] put into my head. I am now much troubled and am in great want. I am, however, confident of Mr. Secretary's goodness and true and real intention to me in that, and I therefore hope of an answer of comfort. *P.* 1. (*Hol.*), *badly spelt. Add. Endd. S.P. Ireland* 307, 197. *Enclosing*—

Petition to the King of Dorothy, sole executrix of Sir Wm. Ryves, late Attorney-General for Ireland, showing that:—

King Charles I., by patents dated 11 *May*, 1641, *made Sir Wm. Ryves Speaker of the then House of Peers. For this service* £3,000 *rested due to him, which he never obtained.*

Sir William was also Judge of the Court of King's Bench in Ireland, for which service £850 *was due to him, whereof* £250 *is already stated.*

In consideration the King was pleased in 1660, *to grant petitioner a pension of* 40*s. a week, payable out of the King's exchequer in Ireland. She has only received* £50 *out of this grant and is very poor.*

She prays for orders for payment of the above moneys and sums out of the King's customs in Ireland. P. ½. *Endd. Ibid.* 197, 1.

27 Aug. Whitehall. The KING to the LORDS JUSTICES for SIR EDWARD MASSIE.

We granted the lands of Abbey Leiux [Abbeyleix] in Ireland to Sir Edward Massie at a rent of £50 for 51 years. He cannot profit by this grant, as the lands are vacant and waste there, without either houses or timber; and no man will build there without a longer lease than what he can give. You shall give him a lease of 99 years at a fit rent, if this be not contrary to our rules and instructions. *P.* ½. *S.P. Dom. Signet Office V.* 20.

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28 Aug. Whitehall. The KING to the LORDS JUSTICES for SIR EDWARD MASSIE or MASSEY.

Next to the lands mentioned in the foregoing is a small township called Watercastle which, before the rebellion, was in dispute between the Duke of Ormond and the Earl of Upper Ossory. It was given by the late power to one Capt. Pennifather for his services, and he still holds it. You shall put Sir Edward into possession of it till the Earl of Upper Ossory be found restorable by law. *P.* ⅔. *S.P. Dom. Signet Office V. pp.* 20-21.

Same. SAME to SAME concerning the preservation of woods in IRELAND.

Great waste has been committed in our woods in Londonderry by persons acting either under unlawful warrants or at their own pleasure and will. We have appointed Marcus Trevor Ranger-General of our woods in that kingdom. You shall give notice, especially to the inhabitants of that county that no man dare to cut or carry away any timber out of that county, without licence under the ranger's hand; and such licence shall be granted by him only for cutting of timber for plough boot, hedge boot, fire boot, and cart boot, and for building in the parts where the trees grow. There shall be no cutting down for merchandise. You shall call to account all who have committed waste in our woods and seize and dispose of all fallen timber therein. *P.* ¾. *Ibid. p.* 36.

29 Aug. Whitehall. SAME to SAME for [ANTHONY] VISCOUNT TARA and MARY WARREN.

Confirming a previous grant and directing that they be restored to their property in Ireland as held by them in October, 1641. The present Viscount Tara is young[1] and an orphan, and Mary Warren is the late Viscount's sister. Clause for cancelling charges against this estate which may be entered in the Exchequer. *P.* ⅔. *Ibid. pp.* 16-17.

30 Aug. Whitehall. SAME for the EARL OF CARLINGFORD.

Releasing such mortgages on his lands as have been made to pay debts which he [as Viscount Taaffe] had incurred in the King's service and which had come into the King's hands by forfeiture from the mortgagees or creditors. He shall also have all the forfeited lands in Sligo held by him or his ancestors as of the manor of Ballimore [Ballymote?]. Commissions to issue to certain persons to find out what these mortgages are. *P.* 1. *Ibid. p.* 35.

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(1) A son of General Thomas Preston, afterwards Viscount Tara, who died before 1656. *See* above p. 348, at 6 June, 1661.

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31 Aug. Whitehall. [Secretary Nicholas] to the Lords Justices.

Yours of the 21st were read and approved. You shall take care to prevent any plots of Papists and others for embroiling the Kingdom. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 65.

Same. [Same] to the Lord Chancellor Eustace.

I received yours of the 7th and 17th and am grieved to think you should have any idea that I have any apprehension to your prejudice. I should certainly have let you know if I had heard anything reflecting upon you. You have filled us all with work by the great bills you formerly sent us and by those now sent by Mr. Martin Noel. The great bill concerning the Declaration is now under consideration and will take up some more time than all the rest. It is thought that unless the reprisals or most of them be taken off there will be no reprisals; but this is now in debate as also that which concerns the doubling ordinance. I shall do what I can for your nephew, Mr. Maurice Keating, but until the great businesses of Ireland are despatched there will be no time for particulars. *Other details. P.* 1. *Entry. Ibid. pp.* 68-9.

Aug. [Same] to Same.

The King asks me to direct you to take special care to carry out his instructions regarding the restoration to their estates of Viscount Taraff's [Tara's] children and of Mrs. Warren their aunt. *P.* ½. *Ibid. p.* 66.

Same. The King to the Lords Justices for Lady Ann Lucas.

Granting her the wardship of the body and lands of James, son and heir of the late Sir Oliver Tuite, of Sonagh [Sonnagh], co. Westmeath. *P.* ½. *S.P. Dom. Signet Office V. p.* 18.

[Before end of Aug. ?] Petition to the King of Dame Anne, relict of Sir Thomas Lucas, showing that:—

In obedience to the King's order of 10 July, petitioner is forced to deliver possession of the house in which she lived hitherto; so that she is destitute of a place to live in.

She prays for one of the forfeited houses in Dublin or Oxmantown as part of Sir Thomas' arrears. *P.* ½. *Endd. in* Nicholas' *hand. S.P. Ireland* 307, 198. [*Placed with foregoing for convenience.*]

September, 1661.

3 Sept. ——— to [Secretary Nicholas.]

I do not know what you intend to do about the double Adventurers. I have examined their accounts and find that if they are taken off it will save the King 150,000 acres; and if the English arrears [*a marginal note in Nicholas' hand here adds 'for those that served in England against the King and for that had lands given them in Ireland which are comprehended in the Declaration'*[1]] be exempted by the Act [it] will save the King between 60,000 and 80,000 acres more; which will be a fair proportion to answer much of the King's gracious intends in the Declaration and to advance your security before 1649. I am sensible many will oppose it and the truth is they have reason, "some of them, as I now see, having received upon these accounts £1,800 in land for £300 lent." Many great sums are raised to get these two particulars saved and provided for, but I hope your care will prevent it. *P.* 1. *Endd. in* Nicholas' *hand. S.P. Ireland* 307, 199.

4 Sept. Whitehall. The King to the Lords Justices for George Hopkins.

Hopkins' father, Sir Wm. Hopkins, loyally sacrificed his estate in the Royal cause, and George has also himself been a loyal servant to us. He shall be paid £2,000 out of the first and second payments paid in by the Adventurers. You shall issue commissions to the counties in which the adventures of Alderman Fowke, Wm. Ridges, Maurice Thomson, Edward Smyth, Martin Noell, and Erasmus Smyth, Esq. fell, for inquiring into their value in the year 1659, and the £2,000 to Hopkins shall be a first charge on the sums payable to us out of those adventures. Clauses for favourable construction. *Pp.* 1½. *S.P. Dom. Signet Office V. pp.* 23-5.

Same. Same for Col. Hercules Lowe.

Directing that he have the wardship of the body and lands of Gregory, son of Thomas Nolan, of Ballinrobe, co. Mayo. *P.* ½. *Ibid. p.* 25.

6 Sept. Whitehall. Same for Sir Robert Ford.

Directing that he be appointed one of the Commissioners of the customs and excise in Ireland. *P.* ¼. *Ibid.* 22.

Same. Same for Major Samuel Bull.

Directing that favour be shown him on account of his loyal help in the Restoration. He shall, till a better appointment is vacant, be made a sub-commissioner for the execution of the King's Declaration and Instructions for the settlement of Ireland. *P.* ¼. *Ibid.*

(1) The note is written with many contractions, so as to be practically in shorthand. Sir Edward Nicholas uses this manner of writing very freely after 1660.

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6 Sept. Whitehall. The KING to the LORDS JUSTICES for NICHOLAS BAYLEY and JAMES READ.

On 25 July last we granted to Bayley and Read a lease for 60 years of certain lands in the baronies of Dundalk and Louth, co. Louth, forfeited by Patrick Bellew of Verdenstown [Verdonstown], one Taaffe of Aclara, and one White of Balrigan [Balriggan], containing 5,600 odd acres. The Irish Committee of the Privy Council have approved this grant. As a further mark of our favour to the grantees we direct that if there is not enough land to give reprisals to the persons severed from these lands, Bayley and Read may purchase them or as much as they desire of them by placing on them such allowed and just Adventurers' arrears, reprizes, encumbrances, or decrees, as they shall think fit, and as are satisfiable thereon. *P.* ½. *S.P. Dom. Signet Office V. p.* 23.

7 Sept. Phœnix [House Kilmainham]. The EARL OF ORRERY to SECRETARY NICHOLAS.

I arrived from Munster on the 6th, and got yours of the 24th of August. I had to go to Munster owing to the insolency of the Tories which grows very much. I will relate their latest insolency as I had it from the mouths of those who suffered that unparalleled wrong. "The Tories came to a husbandman's house whom they forthwith seized upon and forced him to hold the candle whilst in his sight they ravished his wife, who then had not lain in a fortnight, then burned the house over their ears. This is such a barbarity as I think no age can parallel, and was deposed before me by all the suffering parties, but the woman herself who, 'tis thought, will die. And a fortnight before they ravished another woman till she died." I have fixed garrisons in all those places where they haunt and hope within ten days to root out those villains.

I know the main objection against taking down the Court of Wards is that thereby a hopeful means of converting the Irish is suppressed; but really, Sir, there is no arguing against experiment, and we cannot find six instances in the memory of man of any converted to the Protestant religion by the education of the Court of Wards; and an English education and an Irish religion is much more dangerous than if both were Irish. We have now several good expedients for breeding up of youth in the Protestant religion, which we hope to perfect by this day week, and then to transmit them. I am glad the King approves of the course we took in the matter of exporting of wools. We shall strictly enforce the penalties.

Alderman Viner's proposal for coining small silver coins would be of advantage to the kingdom if the King should approve of it. The Bill for naturalizing Dutch and other Protestant strangers has gone over to England for approval and if the King passes it I hope in seven years to see this kingdom flourish. "It did my heart good to see at Limbrick forty Dutch families which I had lately gotten thither so busy in their manufacture and plantations,"

Pray hasten that good bill. It will hugely increase his Majesty's revenue. If the Court of Wards be taken down I think we shall this year settle a revenue which will meet the civil and military charges, and, in a few years, show a surplus without ever again being a burden to England. The wine and ale licences, which never yielded £3,000 a year, we have good cause to believe, as we have now ordered it when the Act has passed, will yield £30,000 yearly. We shall do our best to advance the revenue.

I am sorry that the money raised for a free gift comes in so slowly, but very glad my Lord General is in so hopeful a way of recovery. As soon as the bill of settlement pass I will not lose an hour in getting you your £2,000, and when once men have a law for their estates I shall hope to get the money in a few days. *Pp.* 3. (*Hol.*). *Endd. in* Nicholas' *hand. S.P. Ireland* 307, 200.

7 Sept. Whitehall. SIGN MANUAL WARRANT to SIR HENEAGE FINCH, Solicitor-General [in England].

Directing him to prepare a bill for granting the post of Master of the Revels and Masks in Ireland to John O'Gilby and Thomas Stanley, gentlemen, jointly. A similar grant was made to O'Gilby alone on May 8 last. He shall surrender it. *P.* 1. *Endd. Ibid.* 201.

7 Sept. Dublin. The LORDS JUSTICES to SECRETARY NICHOLAS.

Thanking the King for his grant of £10,000 and asking that it may, for greater security, be framed in a certain form of words which they enclose. *P.* ⅔. *Signed. Add. Endd. in* Nicholas' *hand. Enclosure missing. Ibid.* 202.

Same. LORD CHANCELLOR EUSTACE to SECRETARY NICHOLAS.

Yours of 24 and 27 Aug. received. Please thank the King for granting me the mills and weirs of Kilmainham. I cannot express my gratitude in words. I am also grateful for your friendship.

The Parliament met yesterday and Mr. Temple, solicitor-general, was chosen Speaker of the House of Commons till Sir Audley Mervin's return. The Lords Justices went to the House of Lords and approved the choice that they had made, since which time they have passed the Bill of poll money and the other short bill that the assenting to that should not determine the session. I believe they will pass the House of Lords the next day and that we shall give the Royal assent thereunto on Saturday and then dismiss them to the country to their harvest—which is very late in these parts—for want of bills to keep them at work and from disorder. *P.* 1. (*Hol.*). *Add. Endd. in* Nicholas' *hand. Ibid.* 203.

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9 Sept. Whitehall. The KING to the LORDS JUSTICES for REDMUND MAGRATH, of Thurlesbeg, co Tipperary.

Magrath is ninety years old, was a servant of Queen Elizabeth and in no way involved in the late rebellion. His son, Edmund, took lands in Clare in Redmund's name, hoping for restoration to his own lands later. If Redmund be found innocent he shall be restored, and in the meantime he and his son shall not be removed from the lands decreed for them. Clauses for execution [*see above p.* 179 *note*]. *P.* ¾. *S.P. Dom. Signet Office V. pp.* 28-9.

General date 10 Sept. DOCUMENTS RELATING TO THE CASE OF COLONEL ABRAHAM YARNER.

Copy of Petition to the King of "Abraham Yarner," showing that:—

The King on his return to England confirmed to him the grant of Muster-Master General's place in Ireland, formerly made to petitioner by Charles I. The King further gave the reversion of the place to one of petitioner's sons. He prays that the reversion may be to his son Abraham. *P.* ½. *and p.* ½. *Two copies. S.P. Ireland* 307, 204 *and* 205.

Further Petition of Same to Same [herein called Lieut.-Col. Abraham Yarner].

Mentions his patent of May, 1646, as Muster Master-General, and his loyalty; and asks that his grant may be confirmed. *P.* ½. *Underwritten "fiat." Endd. Ibid.* 206.

Sign Manual Warrant to the Attorney or Solicitor-General.

Ordering them to prepare a bill for granting the office of Muster-Master General of the garrison in Ireland to Lieut.-Col. Yarner. *P.* ½. Dated Whitehall, 5 June, 1660. *Countersigned by* Nicholas. *Ibid.* 207.

The King to the Lords Justices.

Granting the office of Muster Master General and Clerk of the Cheque in Ireland to Abraham Yarner, and his son Abraham, with the usual fees, &c., as enjoyed by Sir Thomas Fullerton, Sir Thomas Williams, Sir Ralph Lane, Sir James Fullerton, Sir John King, Sir Robert King or other previous holders of the office. *P.* 1. Dated Whitehall, 10 September, 1661. *S.P. Dom. Signet Office V. p.* 27.

And draft of same. *Pp.* 1½. *S.P. Ireland* 307, 208.

This concludes the documents relating to this case.

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10 Sept. Whitehall. The KING to the LORDS JUSTICES on behalf of the KING AT ARMS and SERJEANTS AT ARMS.

Richard St. Johns, Esq., King at Arms, Philip Carpenter and George Pigott, our Serjeants at Arms in Ireland and others, petition asking for fees of like nature as those allowed in England. The old-established tables of fees were lost in the late commotions. They shall have their fees, &c., as stated in the enclosed lists and with the deduction of 25 % "after the old rate and values of Irish moneys to English. *P.* ¾. *S.P. Dom. Signet Office V. p.* 26.

Same. SAME for SIR RICHARD and SIR HENRY INGOLDSBY.

Confirming the letters in their favour dated 2 April, 1661, which were drawn in the name of Col. Richard and Col. Henry Ingoldsby. *P.* ½. *Ibid. p.* 30.

Same. [SECRETARY NICHOLAS] to LORD CHANCELLOR EUSTACE.

Most of the Council here are away and the bills you sent over are being considered by the King's Counsel at Law. I hope they may be able to be sent over to you in a fortnight with little alteration. The bill for a settlement will have to be further discussed and it is believed that most of the provisoes will have to be left out lest there should not be enough land for restorable persons. The bill concerning the Excise will be very welcome and should not, in my opinion, be clogged with the matter of the Court of Wards, the King having been very generous to his people in Ireland. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 70.

Same. [SAME] to the LORDS JUSTICES.

Similar in substance as the foregoing. Alderman Viner's proposals for taking away the inconvenience of copper pence in Ireland are being considered by a Committee. *P.* ½. *Ibid. p.* 71.

10 Sept. Council Chamber, Dublin. PROCLAMATION by the LORDS JUSTICES and COUNCIL.

We are informed that several soldiers and adventurers have possessed themselves of divers lands over and above those set out to them for their arrears and adventures, and conceal the same from the King. We are also informed that divers persons have entered without authority on lands belonging to the King, the benefits whereof are concealed from him. Any person who by or before 30 November next shall discover such concealed lands to the Lord Chief Baron of the Exchequer and make proof thereof shall have a custodium of those lands at a rent which will reward him for his discovery. *P.* ⅔. *Entry. Overwritten by* the Justices, *and signed by* six members of the Council. With note of printing and publication as in the proclamation No. 2 of 31 July, *q.v. S.P. Ireland* 309, *p.* 11.

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10 Sept. Council Chamber, Dublin. FURTHER PROCLAMATION by the LORDS JUSTICES and COUNCIL.

"Whereas — Halsey and Walter Butler have of late betaken themselves to lewd, wicked, and unlawful courses, stealing and robbing and spoiling his Majesty's good and loyal subjects in the counties of Waterford and Tipperary, wherein they have used extraordinary barbarism, ravishing of women (whereof one lying in childbed, whose husband was compelled to hold the candle whilst they committed that foul act), burning of houses and wounding and murdering of His Majesty's subjects, and, being conscious to themselves of their horrid crimes, they stand on their keeping, to the terror and annoyance of others his Majesty's good subjects and are not amenable to law." We declare that they and all who adhere to them after 20 September next are rebels and traitors against the King and are accordingly to be prosecuted "by all his Majesty's good and loving subjects in all hostile manner whatsoever." No person shall comfort, relieve, abet or hold correspondence with them. Any Justice of the Peace before whom it is proved that any person did abet, relieve, help or hold correspondence with any of the said rebels shall cause such person to be arrested and take from him good security that he will appear in His Majesty's Court of Chief Place to be proceeded against according to law. All loyal subjects shall endeavour to find out where these traitors or confederates from time to time lurk and endeavour to arrest and carry them before the High Sheriff or a Justice of the County in which they are. Any person who so brings them up shall be rewarded. All officers and soldiers, all civil officers and others whom it may concern are to be aiding and assisting "as they will answer to the contrary at their extreme peril." *Pp.* 1½. *Entry. Overwritten, &c., as foregoing. S.P. Ireland* 309, *pp.* 14-15.

12 Sept. LORD CHANCELLOR EUSTACE to SECRETARY NICHOLAS.

I can strongly recommend Dr. Potter who has occasions at Court [and is taking this letter over]. He has gained a great reputation here for learning piety and eloquence, and is well known to the King and yourself. I hope that, on his surrender of the Deanery of Waterford, the King will grant him the Deanery of Christchurch or of St. Patrick's, Dublin, whichever shall first be void. I have prepared a draft in this sense. *P.* 1. (*Hol.*) *Add. Endd. S.P. Ireland* 307, 209. *Enclosing—*

Draft Grant as mentioned in foregoing.

Dr. Potter to be allowed together with his new Deanery[1] *all the livings he now enjoys, except the Deanery of Waterford. P.* ½. *Ibid.* 209, 1.

12 Sept. Dublin. SIR WILLIAM DOMVILE to SECRETARY NICHOLAS.

There are two important matters at which the whole frame of the Declaration, now made into a law, points. The one is the restoration of the old proprietor to his just rights; the other the

(1) He never got the Deanery, but was prebendary of Kilmactalway at this time. *See* Cotton's *Fasti II.* 134.

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satisfying of the just demands of adventurers and soldiers. The chief thing here is to get the innocency of the one and the just claims of the other established in a trustworthy manner. When that is done the rest will follow easily. Unless some rule of innocency be established, there want not those who would make all men delinquents, and if some steps are not taken to search out the frauds, concealments and half admeasurements of the soldiers and adventurers, the King will lose £200,000. In order to help in the matter, as was my duty, I have endeavoured to find out:—

(1.) What was the whole debt and demand of the adventurers?

(2.) How and by what means that debt became due?

(3.) In what measure the same has been satisfied?

As to the first question "it appears by the printed acts and proceedings of the tyrant Cromwell that in 1653 he computed the adventurers' debt to amount to £360,000, towards the satisfaction of which the moiety of the ten counties mentioned in the Declaration was specially appointed. But upon search in the auditor's and surveyor's offices here, the debt due to the adventurers is computed at but £318,696 8*s*. 5*d*.," as may appear by the enclosed. As to the second, how this debt came to swell to this bulk, [it] appears partly by the Acts of Parliament made in the 17th year of King Charles I., and more especially by the Ordinance of both Houses called the "Doubling Ordinance" of 14 July, 1643. These doubling moneys were, by special instruction from Cromwell in the year 1653, allowed to be part of the said principal or adventure of £318,696 4*s*. 5*d*. [*sic*], which was to be satisfied in this Kingdom. You will find by the particular of the sums of money gained over and above the principal lent, that those doubling moneys amount to £53,016 14*s*. 8*d*. This being deducted, the debt of the adventurers will be but £265,696 14*s*. 8*d*. As to the third, it appears that there has been set out in the three provinces of Leinster, Munster and Ulster, of Irish plantation measure, so much land as would satisfy the sum of £340,594 16*s*. 3*d*., as you will see in the last part of the state of the adventurers' debt and credit. This amounts to £74,915 2*s*. 6*d*. more than is to be allowed them by the Act of 17 Charles I. The chief reason why the adventurers are not putting in their claims according to the proclamation is that they do not wish it to be known how much more than their due debt has been advanced to them.

As for the soldiery all I can find out is that 124,992 acres, plantation measure, of Irish land in Leinster, Munster and Ulster have been taken to pay English arrears, "whereas those honest men who served his late Majesty here faithfully in the heat of this war before 1649 never received any satisfaction for the same."

Upon the whole you will find that the payment of English arrears and the over-payment of the adventurers have taken £128,006 10*s*. 6*d*., which is equal to 259,942 Irish, or over 300,000 English acres, away from the King. I hope that some steps will be taken against the extravagance and also to discover lands concealed by the adventurers. "The most knowing men" think that, if these were investigated, the King would save 100,000 acres more. *Pp.* 2½. (*Hol.*). *Add. Endd. S.P. Ireland* 307, 210. *Enclosing*—

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Statement of the Debt and Credit of the Adventurers, showing—

(*i.*) *The debt due to the Adventurers in each Province* :—

Province.	*No. of acres. Irish Plantation measure* a.	r.	p.	*Rate.*	*Money at the Act Rates.*
Munster -	253,439	0	23	9*s.* *an acre*	£114,047 12 3
Leinster -	282,326	1	29	12*s.* ,, ,,	£169,395 17 2
Ulster -	176,264	3	2	4*s.* ,, ,,	£35,252 19 0
Total -	712,030	1	14	——	£318,696 8 5

(*ii.*) *The total number of Irish Plantation acres admeasured and forfeited in each province towards satisfaction of the above debt* :—

	a.	r.	p.		
Munster -	258,223	1	10	9*s.* *an acre*	£161,200 12 3
Leinster -	265,901	3	23	12*s.* ,, ,,	£159,540 16 9
Ulster -	99,266	3	10	4*s.* ,, ,,	£19,853 7 3
Total -	723,392	0	26	——	£340,594 16 3

(*iii.*) *The sums of money and number of acres gained, over and above the principal lent, by the doubling ordinances* :—

Province.	*Sum.* £	s.	d.	*Irish Plantation.* a.	r.	p.
Leinster - -	30,472	16	2	50,788	0	2
Munster - -	14,371	0	10	31,935	2	10
Ulster - -	8,172	17	8	40,864	1	33
Total - -	53,016	14	8	123,588	0	5

(*iv.*) *The amount of money and acres paid and taken up by paying English arrears in the various provinces* :—

	£.	s.	d.	a.	r.	p.
Leinster - -	28,422	9	6	47,370	2	22
Munster - -	16,496	10	10	36,657	2	14
Ulster - -	8,172	17	8	40,964	1	0
Total - -	53,091	8	0	124,992	1	36

Pp. 2.† *Endd. in* Nicholas' *hand. S.P. Ireland* 307, 210*a*.

† Errors in addition have been left as they stand.—Ed

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13 Sept. Council Chamber, Dublin. PROCLAMATION of the LORDS JUSTICES and COUNCIL concerning the brass coins in Ireland.

Similar to that above (*see p.* 401 at 17 August, 1661), but adding that Sir Thomas Armstrong has special licence from the King to make brass or copper coins in Ireland. *Pp.* 1½. *Entry. Overwritten by* the Lords Justices *and signed by* seven members of the Council. With note, &c., as in the proclamation No. 2, of July 31 above, *q.v. S.P. Ireland* 309, *pp.* 12-13.

14 Sept. Whitehall. The KING to the LORDS JUSTICES for themselves.

Granting them £10,000 as in letter of 23 August [*q.v.*] but providing that payments of that sum shall be gradual and be made as the penalties of the bills or bonds for exporting wool, &c., be brought in [instead of in a sum down as prescribed by the letters of 23 August]. *Pp.* 1½. *S.P. Dom. Signet Office V. pp.* 29-30.

Same. SAME for DR. FULLER, Dean of St. Patrick's, Dublin.

We are informed that the lands, &c., and tithes of the Dean and Chapter of St. Patrick's, Dublin, and of the Treasurer of Christ Church, Dublin, were by the late usurper granted to several persons for the use of Trinity College, Dublin, or for other uses. Several of the rents of these lands which were due between the date of the usurper's grant and 24 June, 1660, are still in the farmers' and tenants' hands and not yet paid to Mathew Barry, who was appointed by the trustees to collect them. Dr. Fuller informs us that "the Dean's house there is by the iniquity of the late times utterly ruined and demolished" and that the funds of the Deanery are so small that he cannot rebuild it. The aforesaid rents in the tenants' hands and due before 24 June, 1660, shall go to Dr. Fuller to enable him to rebuild the house. Grant to be made accordingly. *P.* 1. *Ibid. p.* 31.

Same. [SECRETARY NICHOLAS] to the LORDS JUSTICES.

In answer to the appeal of the House of Lords in Ireland, the King directs that no Charter to any corporation be renewed till the arrears due to commissioned officers for service before June, 1649, have been settled, notwithstanding any letter which has passed or shall pass his Majesty's hand to the contrary. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 73.

Same. [SAME] to SAME.

Sending the draft grant for £10,000. It has been signed by the King. *Five lines. Ibid. p.* 74.

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16 Sept. Dublin. PROCLAMATION by the LORDS JUSTICES and COUNCIL.

Commissioned officers of the Irish army are apt, either with or without licences, to absent themselves too long from their commands, so much so that there is sometimes no officer with a troop or company. All officers of the army shall take care that at least two officers be constantly resident with each troop, and at least one with each company. Officers who, even with licences, go away so that these conditions are not fulfilled shall be liable to be tried under the Articles of War. *P.* ⅔. *Entry. Overwritten, &c.*, as the Proclamation No. 2 of July 31 above. *S.P. Ireland* 309, *p.* 16.

Same. The EARL OF MOUNTRATH to SECRETARY NICHOLAS.

Hearing that my first letter is mislaid, I send you a second letter concerning the corporations of the province of Connaught. The putting of the civil government of these corporations into the hands of persons well affected to the King is of great importance to his service. "Upon my first declaring in the Province in order to his Majesty's happy restoration, I had some experience of the dangerous consequence of permitting any considerable number of Anabaptists or other fanatics, to dwell in garrisons of importance, for in Galway they were so numerous as (had I not immediately after my declaring clapt up the Mayor, one of the Sheriffs and several of the inhabitants who (being fanatics) refused to join with me) they might have done us much prejudice, having laid a design (as they afterwards confessed) to rescue the town for themselves and to deal with me and such as should adhere to me, just as I had done with them. And such was their strength in Athlone, as I was forced to draw a considerable party of horse and foot thither before I could gain it, though the rest of the province was then in my hands. I can assure you those places and all the chief corporations in that province are generally composed of such kind of persons as may prove equally dangerous to the restoration of the Irish Papists." On the recommendation of the Earl of Orrery the King has taken a course for settling the corporations of Munster, and I cannot help urging the necessity of a similar course for Connaught. I therefore beg you will present the enclosed to his Majesty and return me his pleasure therein before Michaelmas day "that I may endeavour to prevent any settling of any magistrates for this year to come in those corporations other than such as I know to be well affected to his Majesty's service." *P.* 1. *Signed. Add. Endd. in* Nicholas' *hand. S.P. Ireland* 307, 211. *Enclosing*—

Draft of the King to the [*Lord Deputy and Council*] *concerning the Corporations of Connaught.*

The Earl has represented to us the forwardness of the inhabitants of the several corporations of Connaught in assisting our restoration, and how, by the letters of the law, the charter of the corporate towns there are

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generally forfeited to us owing to the confusions of the late rebellion. The absence of security as to the charters prevents trade and manufacture in those towns and the peopling of them. The Earl of Mountrath has besought us to renew their charters. You shall renew these charters by letters patents with all lands, advantages, &c., which the said corporations had on 23 *Feb.*, 164½ [*? an error for* 23 *October*, 1641], *and you shall insert in the letters of renewal such a clause as you think fit for compelling the corporations to rebuild within a certain number of years all such houses as are in their area and belong to them, "our intention herein being only to beautify the several towns by handsome buildings, the charge whereof will easily be borne by the corporations who receive their rents accordingly. And whereas it was formerly found by very sad experience that nothing did more obstruct the growth of trade and increase of manufacture in that province than the power granted to the said corporations of restraining of all manner of persons of what birth or nation whatsoever to set up their trades and manufactures in the said cities, seaports, and corporations, other than those who had served their apprenticeship in the said towns, few of whose masters had ever attained the skill of working the native commodities of Ireland to such a perfection as to make them vendable in the said Kingdom, much less beyond the seas, so that the whole commodities of the said province were only transported in kind to the great impoverishment of the people thereof, and this only upon the account that no foreigner, though an Englishman, should come, and set up in their corporations and so take their trades out of their hands." You shall in your letters of renewal reserve power to the Chief Governor or Governors of that kingdom to admit such persons into those corporations as will in their opinion promote and improve manufacture and trade there by their residence there, provided that no Recorder or chief town clerk of these cities, &c., shall hold office there, except with our approval, expressed through our Chief Governor. In the case of a dismission of any such Recorder or chief town clerk, the corporations may nominate his successor, subject to our approval. The corporations shall in the first place be filled only with the nominees of the Earl of Mountrath. Pp.* 1¾. *S.P. Ireland* 307, 211, 1.

16 Sept. Council Chamber, Dublin.

The Lords Justices to Secretary Nicholas.

We sent you some bills on August 17. The Parliament was at that time prorogued to the 6th of this month. It then assembled, passed the Poll Bill, and on the tenth was prorogued till October 10. We hope earnestly that the bills sent over may be returned before that time. *P.* ½. *Signed. Add. Endd. in* Nicholas' *hand. Ibid.* 212.

16 Sept. Dublin.

The Archbishop of Armagh to Secretary Nicholas.

"If either you did need them or the Church of Ireland were in a condition to bestow them, it behooved me to think of some presents wherewith to acknowledge your many favours which our agents or Commissioners from the Church make known to me from time to

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time." Happily you do not need them and this Church is too poor to give you anything worthy of your acceptation. "All that we can do is to make you and your family partakers of the prayers of our Church and to register your name to all successions amongst our principal benefactors."

If I were with you I could easily shew that our demands, which are thought high, are for no more than is necessary. I do not know by what accident the papers I sent to the Commissioners and the Bill of eight subsidies have been retarded or miscarried. The church could of course give more, but could not pay it. Please remember that the subsidies of the clergy are much higher than those of the laity, "and if his Majesty be pleased to employ my care and endeavours in it in making a new perfect, equal and universal tax of church livings, I do not doubt to make each subsidy three times as much as it hath been without any noise or opposition."

You recommended to me the bearer, Dr. Potter. He came at an ill time when all the best preferments were disposed of. In gratitude to you I shall remember him.

P.S. (*Hol.*). In this interval of Parliament I have made my northern visitation and have left the churches in a fair and forward way of settlement. *Pp.* 2. *Signed. Add. Endd. in* Nicholas' *hand. S.P. Ireland* 307, 213.

18 Sept. **Dublin.** The Lords Justices to the Lord Primate of Ireland [as] Speaker of the House of Peers, for Alexander Gray.

Having read Gray's petition and the King's letters in his favour of 19 December last, recommending him to us for payment of £460 from the Excise and Customs, being the remainder of a large sum due to him for the seizure of his ship for the King's service, we beg your Grace to communicate the King's pleasure to the Houses of Lords and Commons, that Gray may receive the benefit of the King's good intentions towards him. *P.* ¾. *Signed. Add. Ibid.* 214.

18 Sept. Lord Chancellor Eustace to Secretary Nicholas.

Thanks for your letter. It is not handsome to impose the taking away of the Court of Wards on the King by way of a bargain. But as the people here are full of it and hear from England that the King is ready to part with the Court, we shall take this course:—We shall draw all the bills for the Excise and a distinct bill for doing away with the Court of Wards and send both together to the King to be dealt with as he thinks fit. "And I do humbly conceive that if his Majesty do hold his hands from assenting to the great bill of Settlement that the bill for the Excise may pass without the bill for the Court of Wards; and until all the King's work be done that of the Bill of Settlement to be kept." My Lord of Mountrath goes to Connaught to-morrow and will be away 10 or 14 days. In his absence we shall do nothing but prepare bills for transmission. *P.* 1. (*Hol.*). *Add. Endd. Ibid.* 215.

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19 Sept. Council Chamber, Dublin. The Lords Justices to Secretary Nicholas.

We have received the King's letters of August 12, directing us to pass a grant to Major Arthur Graham, of the post of Muster-Master General of the undertakings and outrisings of Leinster and Ulster for life, with powers of arming, mustering, training, reviewing, "as well the undertakers and other men in the plantations within the said provinces as the outrisings and risings out of those counties," with power of taking fees from parishes, townships and ploughlands. We think the passing of this grant would be prejudicial to the King's service for the following reasons:—

There was indeed such an office before the rebellion, but it was not exercised in Leinster for some years before that date. The arrangement was that a book was kept containing the names of the nobility and principal gentry of each county, and opposite to each name was entered the number of archers on horseback anciently charged. When the Lord Deputy conceived it necessary, he convened a meeting of the Deputy and Council and of the grand Council (which consisted of all the peers, spiritual and temporal, of the kingdom) at which meeting they ordered that there should be a "general hosting" proclaimed after the old fashion by writ, sometimes for six weeks. The last of these hostings took place in 1635, when the Earl of Strafford was present and saw the men mustered. There had been similar musters on previous occasions.

Many of these on whom the charge for general hostings was laid have now forfeited their estates by participation in the late rebellion; so that few liable to the charge remain. In those days the reviewing was done by the Lord Deputy and not by Allen or Graham. As the persons into whose hands arms would be put are chiefly Papists, it is a question whether the step of arming and training them should be taken.

In Ulster there are many thousands not yet reduced to obedience to the government of the church established here. We question whether it would not be premature to arm these people.

We should like his Majesty's views on this matter. If we are not to pass the grant, we recommend Major Graham for some other favour. *Pp.* 1½. *Signed.* *S.P. Ireland* 307, 216.

Same. Same to Same.

We have received several letters from the King directing us to restore divers Papists to their estates, reserving to the King his ancient rents.

By the Declaration of 30 Nov. last, page 30, it is provided that every person restored to, or reprised for, his ancient estate shall pay for ever to the King and his heirs for every acre

In Leinster - - - -	3*d.*
In Munster - - - -	2½*d.*
In Connaught - - - -	1½*d.*
In Ulster - - - -	1*d.*

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and that, for the purposes of this rent 160 perches shall be deemed to be an acre, and 16½ feet shall be deemed to be a perch. A proviso added that where the rent formerly reserved on lands now to be restored exceeded this sum, such rent shall continue to be paid, but that these sums shall not be paid in respect thereof.

We are importuned by several of those who have got grants of restoration from the King to restore them. If we do this without reserving any rent beyond that reserved before, the King will not get the increased revenue which we had expected. We are at present engaged in preparing drafts of civil and military establishments, and in doing so, are diminishing charges as far as we can. We are also making the strictest scrutiny we can into all branches of the revenue in order to see how far it will meet the charges of the establishment. If, in balancing the account, we have to assume that the favour hereinbefore stated to restored persons is really granted—and it cannot be granted to a few without being immediately claimed by many more—the receipts will fail to answer the charges, and there will undoubtedly be great disappointment to those who have to be paid. It will indeed be impossible for Ireland to be self-supporting, and large subsidies will have to come from England. We should like the King's opinion on this point. *Pp.* 1⅓. *Signed by* Lords the Justices. *Add. Endd. in* Nicholas' *hand. S.P. Ireland* 307, 217.

20 Sept. [Dublin.] LORD CHANCELLOR EUSTACE to SECRETARY NICHOLAS.

The Earl of Mountrath has gone to Connaught and will be away ten days. Meantime little will be done but to prepare more bills for consideration.

There are many here who sue for pardon, and to have the benefit of the King's proclamation in England which, as you will see by the text of it, extends to Ireland. There can be no harm in granting these, and great harm in withholding them, for the people will say that they do not know what to trust to if the benefit of His Majesty's Proclamation at the Coronation be denied to them; and certainly His Majesty's honour is not a little concerned therein. Therefore I request you to move the King to empower us to give pardons, though I consider that the Proclamation itself is sufficient warrant.

The issuing of such pardons would quiet men's minds. *P.* 1. (*Hol.*). *Add. Endd. in* Nicholas' *hand. Ibid.* 218.

21 Sept. Whitehall. [SECRETARY NICHOLAS] to the LORDS JUSTICES.

Many Lords of the Council are at present away, but I hope we shall make progress with your bills next week. The bill for naturalising Lewis Desminières and other merchants, strangers in Ireland, is being considered. Further bills sent over for naturalising foreigners must state that they are Protestants, as it is not intended to naturalize any who are not. The persons to be naturalised shall

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take the Oaths of Supremacy and Allegiance before the Bills pass into law. We have no letters from Portugal, but from France we hear that the Earl of Sandwich has bombarded Algiers and made a Treaty with the Turks, who held out a flag. All Englishmen and all English property is to be restored, and they are not any more to search our ships. *P.* ⅔. *Entry. S.P. Ireland* 308, *p.* 75.

21 Sept. Dublin. CAPT. JOHN BARTLETT to SECRETARY NICHOLAS.

The two vessels which the King gave for the postal service have been diverted to guard the coasts, and I have now put in three barques for the service until such time as I can build suitable vessels, which will be, I hope, by Midsummer Day next. Two of the vessels by the persuasion of some of his Majesty's Council, I have hired from Major Swift (he that signed the petition in North Wales for taking away the King's life). He has sent up his wife "who was the most wickedest woman against his Majesty and his restoration in the world" to work with the Countess of Anglesey to get my place; and because I have not entered the King's warrant in the Signet Office in Ireland, they are getting a warrant from Secretary Morris to take out a patent for Major Swift. My Lord Chancellor of Ireland has written to Sir George Lane to have a stop put to it. I am taking out my patent here. As I formerly wrote to you, the postmaster will allow but £300 a year for the provision of three vessels, so that there will be £114 short yearly of what my predecessor had. If your honour do not send his Majesty's letter to the Lords Justices for the payment of £114 yearly I shall work for nothing. I had rather be in a starving condition than let such a fellow have the management of his Majesty's affairs, which he might well do at that rate, by reason he had in Oliver's days, £500 a year for the same two old vessels which I have hired from him. I pray for more generous treatment and for payment of £114 a year out of the Exchequer here. *P.* 1. (*Hol.*). *Add. Endd. in* Nicholas' *hand. S.P. Ireland* 307, 219.

23 Sept. Whitehall. The KING to the LORDS JUSTICES for COL. EDWARD VERNON, of Clontarf.

Col. Vernon has, as he informs us, discovered a vein of lead ore in his own grounds in which never any mine was yet worked. It is important that such mines should be worked, and we therefore direct you to draw up a grant to Vernon of "all mines or mines royal of gold, silver, or other metals or minerals whatsoever to be had, discovered, gotten or found in or upon the manor or lordship of Clontarf or Hollybrook," co. Dublin. The grant shall last for 31 years, and Vernon shall pay a rent of $\frac{1}{10}$ of his real and clear profits. *P.* 1. *S.P. Dom. Signet Office V. p.* 32.

Same. SAME to the MASTER OF THE WARDS for COLONEL HANS HAMILTON.

Directing that he be given the wardship of the body and lands of Walter, son of the late James Nugent, of Portloman, co. Westmeath, reserving a fit rent to the King. *P.* ¼. *Ibid. p.* 33.

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23 Sept. Whitehall. The KING to the LORDS JUSTICES for CAPT. WM. PEASELEY.

Directing that he be given the command of the first foot company in the Irish army, which shall fall vacant after those already granted or directed. *P.* ½. *S.P. Dom. Signet Office V. p.* 39.

Same. SAME for the EARL OF ROSCOMMON.

Similar to foregoing for giving the Earl the command of the first troop of horse which shall fall vacant in Ireland. *P.* ½. *Ibid. pp.* 39-40.

Same. SAME concerning the Woods of Shillela [Shillelagh] in Ireland.

We hear that the Earl of Strafford has lately contracted with certain merchants for using the woods of Shillelagh for pipestaves. Yet we are informed that these woods will be of great use for shipping "whereof we have at present great occasion." You shall forbid the felling of these woods till they have been inspected by persons appointed on our behalf, after which we will agree with the Earl and those with whom he has contracted as to what is to be done. If any timber favourable for shipping has already been felled we will make compensation to the owner for its value and the charge of felling it. You shall inform us as to the nature of the contract between the Earl of Strafford and the merchants and as to the area and value of the land in which the woods stand. *P.* 1. *Ibid. pp.* 43-4.

Same.[1] [SECRETARY NICHOLAS] to the EARL OF MOUNTRATH.

Yours of 16th concerning the corporations in Connaught received. The King, since he granted a restoration of the Charters of the corporations in Munster, has been appealed to by the House of Lords not to grant any more restorations of Charters till the officers who are owed arrears for service before 1649 have been paid off. The King has given express order accordingly and therefore thinks it well to forbear granting your request. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 76.

PETITION of DUDLY BAGNELL to the KING, showing that:—

Petitioner by a clause in the Act of Settlement is to be restored to the estate whereof his father, Walter Bagnell, was seized in 1641.

Petitioner's father was put to death by the usurped power for his loyalty and affection to the King's service.

He prays for leave to pass letters patents of his estate at the former rent and terms. *P.* 1. *Underwritten with*—

Order, dated dated 23 September, referring the petition to the Duke of Ormond. *Signed by* Henry Bennett,[2] *and endd. with*—

(1) The date is possibly 28 Sept.

(2) Sir Henry Bennett only became Secretary of State in Oct. 1662. Hitherto these orders have been signed by Secretary Nicholas.

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REPORT of the DUKE OF ORMOND on the foregoing PETITION.

Recommends that it be granted. *P.* ½. *Signed. In all, p.* 1. *S.P. Ireland* 307, 220.

24 Sept. Phœnix (House, Kilmainham). The EARL OF ORRERY to SECRETARY NICHOLAS.

The enclosed papers by the care of Sir Paul Davis were brought in this morning. As they contain matters of a dangerous tendency I thought it requisite to transmit them to you in the absence of the Lord Chancellor, who is in Kildare, and of the Earl of Mountrath, who is in Connaught. I have sent copies to Lord Mountrath, as the people deposed against are in that province so that he may have them arrested and examined. We shall be careful, for had intimations of this kind been well listened to in 1641, the rebellion then begun would not have been so surprising as it was.

Several Irish officers who have for years been in the service of the King of Spain are transporting themselves hither without any passes. Some of these have been secured pending the receipt of directions from the King. Please let us have them. *P.* 1. (*Hol.*). *Add. Endd. in* Nicholas' *hand. Ibid.* 221.

24 Sept. LORD CHANCELLOR EUSTACE to SECRETARY NICHOLAS.

I shall observe the order which I have just received directing me not to renew the charter of any Corporation till the commissioned officers who are owed for service before 1649 shall have been paid. *P.* ½. (*Hol.*). *Add. Endd. as foregoing. Ibid.* 222.

24 Sept. Whitehall. The KING to the LORDS JUSTICES for COLONEL RICHARD GRACE, of Moely.

Directing that the rents due on his lands since June, 1661, and those lands which were possessed by the grandfather of his ward, Daniel Carroll, of Ballymonie [Ballymooney?], King's Co., in 1641, be sequestered "upon" the hands of John Grace, of Courstown [Courtstown], co. Kilkenny, and of Lieut.-Col. William Hamilton, to be answered and paid to Col. Richard Grace. *P.* ½. *S.P. Dom. Signet Office V. p.* 33.

Same. SAME for THOMAS HOWARD and THOMAS KILLIGREW.

Granting to them £3,000 out of the sums which shall be recovered out of the one moiety of forfeited bonds or to be forfeited hereafter for transporting of wools and out of other forfeited bonds in the Exchequer, or in the Custom Office in Ireland, or which are in the hands or custody of such who are or were formerly customers, collectors or comptrollers of the Customs Office there or farmers or collectors of the excise and new impost in Ireland or in the hands of any others. This £3,000 shall not be paid before the £10,000 formerly allowed to the Lords Justices (*see above p.* 422) is paid. Clauses for execution (*see above p.* 179 *note*). *Pp.* 1½. *Ibid. pp.* 33-4.

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24 Sept. Whitehall. The KING to the LORDS JUSTICES for COLONEL CHARLES WHEELER.

Directing that he be granted £2,000 out of the fund mentioned in the foregoing. Conditions similar to foregoing. Clauses for execution (*see above p.* 179 *note*). *Pp.* 1¾. *S.P. Dom. Signet Office V. pp.* 37-8.

Same. SAME for MAJOR HENRY O'NEALE.

In spite of our directions we are told by Major O'Neale that he has not yet been established in his lands in Antrim, which are in the possession of John, Lord Massereene, and others as adventurers. You shall restore him at once, giving reprisals to Lord Massereene and the others. *P.* 1. *Ibid. pp.* 84-5.

And entry of same. *S.P. Ireland* 308, *pp.* 104-5.

27 Sept. Whitehall. SAME for COLONEL CHARLES WHEELER.

Directing that he have the wardship of the body and lands of John Leicester or Lester, son of the late John Lester, of Kilcarmuke [Kilcormac or Frankford [1]], King's Co., with his marriage. *P.* ¾. *S.P. Dom. Signet Office V. p.* 48.

28 Sept. SAME for SIR EDWARD MASSIE or MASSEY.

Sir Edward has asked us to extend his term of the tenure of the Manor and Abbey and site of our Abbey of Leiux [Abbeyleix], Queen's Co., to 99 years, on the ground that the buildings there are demolished and that no tenants will build or settle unless he can get a longer term than he has power to grant. He shall, as a reward for his zealous service in our cause, have a grant for 99 years. Clauses in confirmation. *Pp.* 2. *Ibid. pp.* 50-52.

Same. SAME for SAME.

Granting him the small township of Watercastle, close to Abbeyleix. Before the rebellion the township according to information given by Massey, was in dispute between the Duke of Ormond (then Marquis) and the Lord of Upper Ossory; and the usurper gave it to Captain Pennyfather, who holds it on the ground that, having been the property of the Lord of Upper Ossory it had been forfeited to the Crown. Clause for reprisals for Pennyfather. [2] *P.* 1. *Ibid. pp.* 52-3.

30 Sept. Whitehall. SAME for SIR GEORGE HAMILTON, KT.

Sir George did much to discover and develop mines in Munster and elsewhere and improved our revenue thereby. In 1648 he got an extension of the time of his interests in the said mines. The rebellion cost him £20,000 besides the loss of most of his workmen whom he brought from England. In 1648 he returned from

(1) Suggested by Mr. Flood.
(2) The letter is similar to but not identical with that of 27 August, above p. 411.

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France to Ireland, reopened the mines, and supplied our army with lead and bullets to his further cost of above £3,000. You shall make him a grant "of all and every the minerals, mines and ores Royal of gold and silver, or gold or silver, or of lead, copper, tin, quicksilver, or any other minerals, mines, metals or ores, holding gold or silver, or mixed with gold or silver, and of all other minerals, mines, ores, or metals," whether holding or not holding gold or silver, in Ireland, discovered or to be discovered, with full rights to dig, discover, smelt and refine the same. The grant shall last for 41 years and the rent shall be 10 per cent. of the gross yield of ore. *Pp.* 2. *S.P. Dom. Signet Office V. pp.* 41-2.

And two drafts of same. *Pp.* 2½ *and pp.* 4¾. *Endd.* (*the last certified by* John Nicholas). *S.P. Ireland* 307, 223 *and* 224.

30 Sept. Whitehall. The KING to the LORDS JUSTICES for JAMES HAMILTON.

Directing that he have the wardship of the body and lands of the children of the late Sir Oliver Tuite, of Tunnagh [Sonnagh], co. Westmeath, who held his estate by knight's service. *P.* ½. *S.P. Dom. Signet Office V. p.* 43.

COPY of PETITION to the KING of JAMES HAMILTON, showing that:—

He has served the Royal cause loyally both in Scotland and Ireland and is now impoverished. He prays for the Escheator's place and office in Ulster. He will endeavour to discharge efficiently the duties thereof. *P.* ½. *Endd. S.P. Ireland* 307, 225. [*Put with foregoing for convenience.*]

OCTOBER, 1661.

2 Oct. Dublin. SIR PAUL DAVYS or DAVIS to SECRETARY NICHOLAS.

I sent on your letters to the Earl of Mountrath and the Primate. The Earl returned from Connaught last night and is at his house about three miles from here. I thank you for your favour in the matter of getting me the grant of the post of Secretary of State here.

P.S.—I pray you remember the proviso concerning me which was recommended to the King by the Lords Justices and Council. *P.* 1. (*Hol.*). *Add. Endd. Ibid.* 226.

2 Oct. Whitehall. The KING to the LORDS JUSTICES for COL. EDWARD VERNON.

Directing that his grant of the mines and minerals in Clontarf and Hollybrook, co. Dublin,[1] be excepted out of the grant of all the minerals in Ireland given on September 30 to Sir George Hamilton. *Pp.* 1½. *S.P. Dom. Signet Office V. pp.* 44-5.

[1] *See* above p. 428. under date 23 September, 1661.

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4 Oct. Whitehall. The KING to the LORDS JUSTICES for EDWARD PROGER, Groom of the Bedchamber.

Granting him, as a mark of the King's "resentment" of his good services, £6,000 out of the ungranted moiety of the bills and bonds forfeited for exporting wool, which were taken in the late usurper's time, and are consequently now in the King's hands. The sum may be paid from the forfeited bonds for transporting wools or from any other forfeited bonds which are in the Irish Exchequer. It is not to be paid till the Lords Justices have been paid their £10,000 out of this fund in accordance with the grant of 23 August. Clauses for execution (*see above p.* 179 *note*). *Pp.* 2. *S.P. Dom. Signet Office V. pp.* 48-50.

5 Oct. Dublin. SIR WILLIAM DOMVILE to SECRETARY NICHOLAS.

About the middle of last month[1] I gave your honour the particular account of the state of the Adventurers' debt and credit, and also of what the King will gain by setting aside the doubling ordinance and the satisfaction of English arrears with Irish lands. I have now sent you a discovery of the great fraud practised by John Blackwell, in a pretended purchase of his as an adventurer. You will see that it cannot be made out that he ever paid a penny for all these choice lands which got into his possession during the late times of tyranny, and which, before the rebellion, were estimated to be worth over £80,000. Neither is there any voucher or entry or certificate found relating to any adventure made by him or by any man to his use. "Certainly if such adventurers as these shall be forthwith settled and confirmed in their possessions before due examination of what and when and how they claim those estates, who would not claim to be an adventurer for Ireland? Doubtless there is no trade nor profession that can be comparable to it for present profit and advantage!"

I have likewise sent you a copy of some proposals which have been given in to me in order to discover as many frauds in the soldiers since 1649 as there are in the adventurers before. A perusal of these will show that much caution is to be used in settling the possession of the soldier as well as of the adventurer. Both are founded on fraud of the King.

"I know not how troublesome I may be to your Honour's more serious affairs by intimations of this kind. Sure I am they are of great advantage to his Majesty's service, which I stand assured your honour prefers before all terrene concernments." I therefore send these particulars. *Pp.* 1½. (*Hol.*). *Add. Endd. in* Nicholas' *hand. S.P. Ireland* 307, 227. *Enclosing*—

1. *Memorandum touching soldiers' Debentures.*

By the rules for setting out of soldiers' debentures in Ireland there were duplicates to be made, by the Commissioners appointed for that purpose, of all debentures given out to any officers or soldiers within

(1) *See above pp.* 419-21.

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this kingdom, one part whereof, together with the vouchers on which the said debentures were stated and allowed, was to be sent to the office of general register, whereof Mr. Thomas Herbert was master, there to be entered; the other half delivered to the officers and soldiers to carry to such Commissioners as were appointed for setting out lands in satisfaction thereof. These duplicates, upon satisfaction made by the said Commissioners, were to be taken in by them and sent back into the registry, there to be compared with the original and entered by the Register as satisfied.

There were given out for service in Ireland since 5 June, 1649, 33,419 *debentures. Of these there are returned into the general register office but* 11,804, *which have been examined and satisfied. There are, therefore, over* 21,000 *out and unsatisfied, although lands have long since been set out in respect of them. From this fact the following dangers may follow :—*

1. *Many forged and counterfeited debentures might have been satisfied, those actually satisfied being never returned to be examined by the register.*

2. *Many debentures may be often* [i.e. *more than once*] *satisfied, since divers which were satisfied with the disbanded army in* 1653 *were never delivered up to be examined and cancelled, so that they might be* [*may have been ?*] *satisfied over again at the time when the arrangement was made for disbanding the army in* 1655. *The debentures satisfied in both these years might be* [*may have been ?*] *satisfied again with the standing army* [*disbanded in* 1661 *?*]. *The several satisfactions were made by different Commissioners, no one of whom knew what the others were doing.*

3. *In many cases where the applicants swore that they had lost their debentures, copies of these were given them, but no security was taken that if the orginals were afterwards found they should be returned. In this way it is probable that many adventures have been more than once satisfied.*

For his Majesty's service all those books of entries of soldiers' debentures with their duplicates and other writings should be kept and entrusted to some competent and honest person. He should search out cases where debentures have been twice satisfied, and no person who has been engaged in setting out lands for soldiers since 1649, *should be allowed to see those books. P.* 1. *Endd in* Domvile's *hand. S.P. Ireland* 307, 227, 1.

2. *Report by the Commissioners for executing the Declaration of Nov.* 30, 1661, *to the Lords Justices on the adventure of John Blackwell, jun.*

We have considered for what reasons the lands whose names are hereunto annexed were set out to John Blackwell, late of Morclacke [*Mortlake*], *in Surrey.*[1] *We find that on* 24 *May,* 1654, *Benjamin Worsely, then Surveyor-General of Ireland, examined and reported to the Commissioners for what particular sums of money and*

(1) *See* Index to *Cal. of S.P Ireland Adventurers* 1642-59. s. v. Blackwell.

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adventures John Blackwell claimed satisfaction, and therein did certify that Thomas Adams, Edward Alston, Wm. Bromwicke, John Owen, Robt. Clerke or Clarke, Edward Lewin, and Daniel Lewin had advanced the sums mentioned in the annexed schedule, under the Act of 17 *and* 18 *Car. I., and had afterwards, on the doubling ordinance, paid in the sums mentioned in that schedule. For these they were to be allowed satisfaction for the sums named in its third column. Worsely likewise certified that these several persons had assigned*[1] *their interest to the said John Blackwell, who in satisfaction thereof had those lands set out to him. By an order made in* 1653 *by the late pretended Council of State all adventurers claiming lands were to enter their vouchers with the Committee at Grocers' Hall, who were to compare the same with the original entry of the money paid. This committee were to verify and certify it and send a duplicate of their entry to the then Commissioners for the government of Ireland, that the claimant might receive satisfaction. The committee did this. We have examined the books which should contain the names of all the persons through whom Blackwell claimed, and the province, county and barony in which their lot fell. We cannot find any of the above mentioned except those of John Owen and Edmund Lewin, who have assigned their interest to Wm. Watts and Erasmus Smith, and have received satisfaction for the same interest in the cos. Tipperary and Louth. We further certify that by the report made by the said Benjamin Worsely to the said pretended Commissioners it appears that the said John Blackwell did not produce any certificate of the said adventures from the said Committee at Grocers' Hall, as is required by the said order of the said pretended Council of State. P.* 1. *Signed by Edward Lucas, Robt. King, Theoph. Eaton, Robt. Pugh, Robt. Newcomen, Thos. Taylor, Richard Ward, Thos. Symons. Two copies. P.* 1 *and pp.* 1⅓. *S.P. Ireland* 307, 227, 2 *and* 3. *Enclosing—*

Schedule showing :—

(1) *Original money paid in by the persons named in the foregoing, the money paid in under the doubling and the total allowance as follows :—*

Name.	*First Subscription.* £	s.	d.	*Subscription for Doubling.* £	s.	d.	*Sum allowed under doubling ordinance.* £	s.	d.
Thos. Adams -	600	0	0	150	0	0	1,500	0	0
Edward Alston -	200	0	0	50	0	0	500	0	0
John Owen - -	400	0	0	100	0	0	1,000	0	0
Wm. Bromwicke -	100	0	0	25	0	0	250	0	0
Robert Clarke -	100	0	0	25	0	0	250	0	0
Edmund and Daniel Lewin -	600	0	0	*Nil.*			600	0	0
							4,100	0	0

(1) *See Cal of S.P. Ireland, Adventurers,* 1642-59, Index, under the names of the persons above mentioned. Bromwicke, or Bromwich, is not mentioned, and the entries in that volume do not corroborate the statement here made except as to Alston; and see the remaining portion of the letter above.

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(2) *The names and area of the lands assigned and set out to Blackwell in respect of his adventure :—*

(*a*) *In the co. Dublin, Baronies of Newcastle and Uppercross.*

Place.	*Area.* *a.*	*r.*	*p.*
Crumlin	558	1	36
Terrynure [*Terenure*] *and Camage* [*Kimmage*]	392	0	6
Barony of Coolock, parcels in Santry	86	3	29
"*Clanturfe*" [*Clontarf*], *Hollybrook and the island of* "*Clanturfe*"	593	2	14
(*b*) *In the co. Kildare, barony of Salt.*			
Castle Dillon, Malahaye [*Mallahow**], *and an island in the Liffey*	310	3	18
Straffan	433	2	3
Ardrasse [*Ardrass*] *and Killadreagh*	452	3	14
Barbistoun [*Barbiestown*]	330	3	6
Priors and Reanstowns [*Priorstown, co. Louth or Priortown, co. Kildare ?*]	234	3	34
Bishop's Court	426	1	32
Oughterard	160	0	10
Killadowen [*Killadoon*]	248	2	8
Ballymakely [*Ballymakealy*], *Terrow and Sealestown* [*Kilteel**]	147	3	2
Corballis [*Corbally*]	78	0	34
Simonstown and Colefitch [*Celbridge**]	238	2	24
Loughlenstown [*Loughlinstown*]	193	3	33
Donoghcomper [*Donaghcumper*]	85	2	8
Cockranstown [*Coghlanstown*]	62	3	8
Bebush [*Baybush*]	127	0	4
Castletown	417	2	12
Kildrough and the Liberties of Kildrough [*Kildrought*]	267	1	20
Kilmakredocke [*Kilmacredock*]	270	2	27
Tossitstown [*Harristown**]	243	2	8
Newtown East	128	2	0

P. 1. *Two copies, the second of which gives the names with some slight variations from those given here; the first endd. in* Nicholas' *hand.* "*An account that Blackwell hath for* £2,350. 2,000 *acres in Dublin and* 5,000 *acres in Kildare, being of the best lands in Ireland.*" *Endd. S.P. Ireland* 307, 227, 2*a and* 3*a.*

10 Oct. Dublin. The Lords Justices to Secretary Nicholas.

We think it right to inform the King that divers as well in England as Ireland are preparing to make addresses to the King in England for pardon in pursuance of the act of general pardon and oblivion there, hoping thus to avoid paying large sums. We hope that no such pardon will be passed under the Great Seal of Ireland without our being first consulted. *P.* ½. *Signed by* the Justices, with rough notes of pardons to Francis Worrall, Nicholas German and others attached. *Add. Endd. in* Nicholas' *hand. Ibid.* 228.

* Mr. Grattan Flood has kindly helped me with these identifications.

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10 Oct. Council Chamber, Dublin.

PROCLAMATION by the LORDS JUSTICES and COUNCIL concerning GUNPOWDER and MUNITION in IRELAND.

For the prevention of such disorders as may happen if disloyal people arm themselves, the Lords Deputies and Council have frequently forbidden the importation of gunpowder and munition without special licence from the Council in England, or the Lord Deputy and Council of Ireland, and have directed that those who had such powder should bring it into, and receive compensation for it at, the King's store. Nevertheless disloyal people have armed themselves with such powder, and much of it has been brought into Ireland, and "there are too many persons who have not yet forgotten their disloyal, dangerous and phanatick principles." No person shall bring any powder into this kingdom except with licence as aforesaid, and any person who brings it in shall be liable to have it confiscated, and further to incur the King's displeasure, and be fined or imprisoned. Noblemen, gentlemen, or masters of ships or barques who desire powder for proper purposes, shall be supplied with it at reasonable rates by warrant from the Lords Justices and Council. No person shall incur penalties under this proclamation who, before December 10 next, brings the same into any of the King's stores, or gets a proper certificate from the Lords Justices and Council upon an application made to the Master of the Ordnance allowing him to keep such gunpowder. Every honest person and "conformable to the English fashion of apparel" shall help in the execution of this proclamation. All offenders shall be brought before the Justices and shall be bound over in good security to appear at the next Quarter Sessions to answer the said offence and not to depart without licence.

Other details. Loyal people conformable to the English fashion of apparel may seize gunpowder brought into, or made in, Ireland without leave contrary to the purport of this proclamation, and such powder shall be sent by them to the nearest store or nearest Justice of the Peace. All Mayors, Sheriffs, Justices of the Peace, Sovereigns, &c., to assist in the execution hereof. *Pp.* 3½. *Entry. Overwritten, &c.*, as the Declaration of July 31, No. 2, *q.v. S.P. Ireland* 309, *pp.* 17-20.

11 Oct. Whitehall

The KING to the LORDS JUSTICES for the PROVOST and FELLOWS of "Trinity College in Dublin."[1]

The Provost and Fellows of "Trinity College in our University of Dublin" have asked for a licence to settle the land of Madden for a glebe to the parish of Derinous [Derrynoose] and the townland of Dromadmore for a glebe to the parish of Tinon [Tynan]. You shall licence them to do this. *P.* ½. *S.P. Dom. Signet Office V.* 53-4.

And draft of same. *P.* ½. *Endd. S.P. Ireland* 307, 229.

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(1) These words are in the margin. Hitherto the College has been called by its old name "Trinity College, *near* Dublin."

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11 Oct. Whitehall. The KING to the LORD JUSTICES for JOHN FORREST.

Directing that he be appointed Clerk of the Pells and Tallies in the Treasury of the Court of Exchequer in Ireland, in reversion expectant upon the death of Sir Theophilus Jones who now holds the post. Sir Theophilus has asked that this may be done. *P.* ½. *S.P. Dom. Signet Office V.* 55.

12 Oct. Dublin. The LORDS JUSTICES to SECRETARY NICHOLAS.

We have received the King's direction of 28 June last for payment of £2,000 out of the customs to Mrs. Mary Lisle, sister of Sir George Lisle murdered at Colchester. We are anxious to obey this direction, and "our memory of Sir George his merits makes us forward and compassionate for the gentlewoman's relief," but we may not place this debt on any part of the King's revenue, since we have turned every stone and done all in our power to make the receipts and expenditure balance each other. We shall therefore, if the King pleases, place the charge upon the moneys payable by his Majesty's declaration out of the one year's profits of the adventurers' and half-year's profits of the soldiers' lands. We pray that the King will be sparing of his bounty, that this weak kingdom may have time to gather strength and repose, so as to be able to serve his Majesty better in the future. *P.* 1. *Signed. Add. Endd. in* Nicholas' *hand. S.P. Ireland* 307, 230.

12 Oct. Whitehall. [SECRETARY NICHOLAS] to the LORDS JUSTICES.

The King in Council is considering your proposals concerning the rents to be reserved on estates to be restored. I shall let you hear the decision. Many of the Lords incline to the view that those who take out new grants from the King of forfeited lands ought to pay the rents reserved by the Acts of 17 and 18 Car. I., but that those who are restored as innocent persons and take out no new grants should pay only the old rents. There is, however, no order or resolution taken herein. I hope the bills you have sent over may be further considered next week. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 61.

Same. [SAME] to the EARL OF ORRERY.

Yours of the 24th and enclosures therein have been received and read at the Council Board in the King's presence. Such intimations should without doubt not be neglected. We have smarted for neglecting them in the past. It has not been thought needful to give passes to those Irishmen who have been constrained for their loyalty to go into foreign parts and who now want to return. When they have applied for passes they have been told that they do not need them. *P.* ½. *Entry. Ibid. p.* 77.

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14 Oct. Whitehall. The KING to the LORDS JUSTICES for SIR HENRY TICHBORNE.

Sir Henry has asked that he may be paid £E632 18*s.*, which is due to him by two warrants of full pay as a captain of foot in Ireland before the late rebellion there; £1,689 due to him as Governor of Drogheda at 13*s.* 4*d.* a day for a period following 1 Nov., 1641; £816 due for his journey from Dublin at the direction of the Marquis of Ormond to see King Charles I. on affairs of State, and £200 due to him for two months' entertainment as a Lord Justice of Ireland. You shall give order for paying him these sums out of the moneys due and payable to us by the late farmers of the Customs and Excise in Ireland, either as farmers or accountants of the same, out of the moneys due to us upon any other account by such as were employed for public receivers in Ireland during the time of the late usurpers or by such as are found debtors on any of the said accounts, and out of such forfeited bonds or recognizances as are now of record in the Court of Exchequer in Ireland. He shall have precedence of all other persons to whom grants for payments were made since 15 September last, and, upon showing these our letters in the Court of Exchequer, shall receive payments as sums come into it until the whole of this sum is paid. *Pp.* 1¾. *S.P. Dom. Signet Office V. pp.* 55-7.

Same. SAME to SAME for THOMAS FORTESCUE, ESQ.

King James I. by letters patent under the Great Seal of Ireland, dated 14 November, 1606, granted the post of Constable of Knockfergus Castle to Roger Langford, Esq. and Faithful Fortescue, gentleman, or the longer liver of them, with a fee of 3*s.* 4*d.* a day. They were to have twenty warders for the defence of the Castle at eighteen pence a day each. The office came to Faithful Fortescue alone. He was knighted by James I. and is now one of the gentlemen of the Privy Chamber. He prays that we will accept his surrender of the office and regrant it to his son Thomas, at a fee of 6*s.* 8*d.* a day for the exercise of the said office and 8*d.* a day for each of the twenty warders. We grant this petition; and you shall have letters prepared accordingly. Clauses for execution [*see above p.* 179 *note*]. *Pp.* 2. *Ibid. pp.* 57-9.

Same. SAME to the ATTORNEY-GENERAL for ENGLAND for SIR CONNELL FARRELL.

Directing him to insert in the act for settling Ireland a clause for restoring Farrell to the manors, lands, &c., of Tirlickin Lackin [Tirlickeen], Kiltafery and Lisanisky, co. Longford; Rosmore and Ferglass [Fearglass], co. Leitrim; Loghill, Edoragh [Edera], Creagh, Cartron, "Ward," Linnen [Linns], Dera'artwood [Derryart], Ballyglasson [Ballyglassin], Mullaghtorney, and Larach [Laragh], co. Longford. All these belong to him or his father, John. Cornet Robert Meredith and others, who are seized of these lands, shall be reprized. *P.* ¾. *Entry*; [*not in Signet Office Book*]. *S.P. Ireland* 308, *pp.* 107-8.

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15 Oct. Whitehall. The KING to the LORDS JUSTICES for RICHARD JONES, eldest son of VISCOUNT RANELAGH.

Realising the importance of Roscommon Castle in the past, when it was a defence to our Protestant subjects, and its value in the future, we direct you to appoint Richard Jones, of whose merits we are assured, governor of the said castle. You shall cause letters patent to pass under our great seal constituting a ward of the said castle which shall consist of a constable and twenty warders, the said constable to have the entertainment of 3*s*. 4*d*. a day and the warders 6*d*. a day. The constable and warders shall be inserted in our establishment. Jones shall have power to appoint and remove warders. Clauses for favourable interpretation. *Pp.* 1½. *S.P. Dom. Signet Office V. p.* 69-70.

16 Oct. LORD CHANCELLOR EUSTACE to SECRETARY NICHOLAS.

I pray you to further the provision of Sir Paul Davis, with which [which, with] much earnestness was commended by the Justices and whole Council Board. His faithfulness and assistance towards the King's restoration deserve high rewards. He has as yet, had no land from either of his Royal masters, and if he be not satisfied before the bill pass, the door will be shut up. This "moves me the more passionately now to recommend him to your favour."

P.S. I can think of no way of satisfying Lady Rives, but by the expedient suggested in my letter and that of the other Justices. *P.* 1. (*Hol.*). *Add. Endd. in Nicholas' hand. S.P. Ireland* 307, 231.

16 Oct. Council Chamber, Dublin. PROCLAMATION by the LORDS JUSTICES and COUNCIL concerning GUNPOWDER.

Our late proclamation about gunpowder was, as its text showed, not intended to prevent honest gentlemen and cities, &c., from keeping powder for proper purposes, but only to prevent persons from having it who might use it for "evil and turbulent ends." We have provided that proper people shall have powder cheaper from the King's stores than they can get it from the merchants, and have made the following regulations for its issue :—

Instructions by the Lords Justices and Council declaring how the King's subjects may be furnished with gunpowder.

As proclamations were published in 1625 and 1635, declaring in what manner gunpowder should be issued, it is now declared that it shall be issued in such quantities as were allowed in 1635. The clerk of the store shall attend between 9 and 11 a.m., and shall be ready to issue powder to such as shall be licensed to buy it, at E20*d*. per pound.

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One person in each county may issue licences to buy powder, taking care that no licensee may at any time obtain more powder than is necessary to serve him for half a year.

Every licence granted shall be during pleasure, but shall not be recalled unless for good reason or unless the licensee misdemean himself.

The licensee on taking out powder shall pay 6*d.* to the clerk. No other fee shall be charged.

The licensee shall enter his licence with the clerk of the store and shall deliver to him the name of the fowlers by whom he intends that the powder shall be used—not exceeding three for a nobleman, two for a knight, and one for a gentleman. None shall be admitted to have a fowler that hath not £200 a year. The fee for entering shall be 6*d.* and for changing the name of the fowlers 2*d.*

Where a ship's captain wants powder, the licensing authority shall consult with the eldest captain of any of the King's troops or bands resident in the district before issuing it. If there be no such bands he shall consult with the most substantial person in the neighbourhood.

The cities and corporate towns shall be allowed such reasonable amounts of gunpowder as they were formerly allowed to have for their ordinary musters and recreations.

Any captain residing in the town shall certify the clerk of the store what amount he thinks it right that the town should have. In the absence of such captain the amount shall be issued which the Mayor and Recorder certify to the clerk of the store to be correct.

The licensing authority have power to issue powder to free-holders and farmers for their own use, and not for that of others.

In every licence a clause shall be inserted enjoining the licensee to apprehend all such persons as he may find using unlicensed powder, and to convey them before the next Justice of the Peace.

To the end that those who dwell far from the stores may not have to go too far in order to get powder for their recreations or other necessary occasions, every captain of the army not residing near a store may have two barrels of powder put into his hands by the Treasurer of the Ordnance, may issue to licensed persons, and must give an account of it half-yearly to the Treasurer of the Ordnance.

These captains shall be allowed 1*d.* per lb. for issuing it, which the Treasurer of the Ordnance is to allow in their accounts. The Treasurer of the Ordnance shall also allow each captain powder for his "watch powder" and shall supply him with fresh barrels as those which he has get used up.

The Clerks of the Store shall keep an exact account showing the names and qualities of all those that buy powder, the quantity bought and the time within which it is bought. They shall make half-yearly returns of their accounts to the Treasurer of the Ordnance.

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"No fowler or other person" shall "be admitted to use a piece unless he first conform himself to English habit and language and be a known Protestant."

The province of Leinster shall be furnished from the stores of Dublin and Duncannon and for this province the Master of the Ordnance is the licencing authority to give licences.

The following persons are also empowered to give licences in different counties as below :—

Co. and Store.	Authority.
Kings and Queens Co. -	Sir Robert Forth, Sir Thomas Piggott, Master of the Wards, or in his absence, Henry Gilbert, Esq.
Co. Kildare - - - -	Sir Robert Meredith.
Co. Wexford - - - -	Sir Richard Clifton.
Co. Kilkenny - -	Earl of Ossery, or in his absence Sir Wm. Flower.
Co. Westmeath - -	Earl of Roscommon, or in his absence Sir Henry Peirse, Bt.
The Province of Connaught with Galway town and co. shall be supplied from Athlone and Galway.	The President of Connaught, in his absence the Vice-President or the nominees of either of them in every county.
Munster and Clare shall be supplied from Cork, Limerick and Duncannon.	The President of Munster, or &c., as in Connaught.
Co. Down from Carrickfergus or Newry.	Colonel Marcus Trevor.
Co. Antrim from Carrickfergus.	Earl of Donegal.
Co. Londonderry from Londonderry.	Earl of Mount Alexander, in his absence John George.
Co. Donegal from Londonderry.	Earl of Mount Alexander or Capt. Charles Hamilton.
Co. Fermanagh from Enniskillen or Londonderry.	Earl of Mount Alexander or Sir John Cole.
Co. Monaghan from Newry -	Wm., Lord Caulfield.
Co. Cavan from Dublin - -	Sir Francis "Himilton."
Co. Armagh from Newry - -	Lord Caulfield.

Pp. 7. *Entry. S.P. Ireland* 309, *pp.* 21-27.

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17 Oct. The Earl of Orrery to Secretary Nicholas.

I have not recently written to you because my brethren and the Council have recently laid upon me a charge fit for an abler man than myself. This is to make a statement of all that has been done, or may be done or suggested for making the King's charge and receipts in this Kingdom answer one another. At last "by the blessing of God," I presented them with certain proposals of which they were pleased to approve. You will receive them in a long letter sent expressly by Sir James Shaen. I hope you will think it no ill service that ways should be found out here ("a country ruinated and yet unsettled") to pay off all the arrears of the military list, to make a certain provision for three years to come and to settle a revenue higher by £80,000 yearly than ever any of His Majesty's predecessors received in the most improved times of peace; and though the army be above treble what it was when the rebellion began, and the Civil list almost double, to bring things to that pass, that not above £28,000 will fall short yearly, after three years, of defraying the charge of the Kingdom, the charges of the Government remaining at their present height. And if any should object that after three years the King will still have to pay £28,000, my answer is that I believe that, if God send us peace, the Excise and Customs will by that time increase to at least £28,000 above the figure at which they now stand, or the cost of the army will be reduced by as much as the difference between the annual increase and the sum of £28,000. There are moreover several branches of the revenue which, in my opinion, will be very improvable if they are not farmed and Ireland is not unsettled and "unplanted"; but it would, in the present unsettled state of the Kingdom be a great mistake to farm them.

I wish to mention another point. The Bill for settling the Excise confirms the Excise on wine, hot waters, beer, ale and other liquid things for ever on His Majesty and his heirs, but the Excise on foreign imported commodities is only to be settled during His Majesty's lifetime, and for six months after. I have reason to think that if the foreign imports Excise be not settled also for ever on His Majesty and his heirs, it will not, on the general settlement of this Kingdom, be easy afterwards to obtain it in Parliament. If I can have the King's leave I will endeavour to get the Excise on foreign commodities also settled on the Crown for ever. I will not despair of success in the matter. *Pp.* 2. (*Hol.*). *Endd. in* Nicholas' *hand. S.P. Ireland* 307, 232.

17 Oct. Whitehall. The King to the Lords Justices for the Earl of Castlehaven.

We have already sent letters directing the restoration of the Earl of Castlehaven to his lands in Ireland. You shall see that the rents thereof since May last be stopped in the hands of the tenants and be not disposed of till you receive our further pleasure herein. *P.* ½. *S.P. Dom. Signet Office V. pp.* 64-5.

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19 Oct. Whitehall. The KING to the ARCHBISHOPS, BISHOPS, DEANS, ARCHDEACONS, PREBENDARIES, PARSONS and VICARS of the IRISH CHURCH.

On account of the losses sustained by the Church in the late wars and of the ruin of the mansions of the clergy, and as they have promised us eight entire subsidies and a review of the tax of all ecclesiastical preferments in Ireland, whereby our revenue out of those livings will be much increased, we remit to all the Archbishops, Bishops, &c. in Ireland all annates, first-fruits and twentieth parts due to our father or ourself from any of them, from 23 October, 1641, to 25 March next. No clergyman shall be prejudiced by reason of not having compounded for first-fruits within the time limited. *Pp.* 1½. *S.P. Dom. Signet Office V. pp.* 61-2.

Same. SAME for COLONEL JOHN FITZGERALD.

Granting him, as a reward for his good services, the wardship of the body and lands of Gerald, the infant son and heir of Thomas Fitzgerald, of Balliglighan [Ballyglekane], co. Limerick. Col. John or his attorney shall be restored to all the lands of which the infant's father or grandfather was deprived by the late usurped power. *P.* 1. *Ibid. pp.* 63-4.

Same. SAME for the EARL OF MOUNTALEXANDER.

Sir Thomas Allen, Kt., was in his lifetime seised of the manors, lands, &c., of St. Wolston's, *alias* Allenscourt or Allen's Court, co. Kildare, with several other castles, lands, &c. He conveyed these to certain feoffees in trust for the use of himself and his lady or the longer liver of them, and then made and perfected a lease of sixty-one years of the premises to the said feoffees in trust for the executors, administrators and assigns of the said lady, to commence from the day of his death, at the yearly rate of 40*s*. The lady is still living and the reversion of the premises descended to Thomas Allen, as heir to Sir Thomas, and to John, heir to Thomas. One or both of these were attainted of high treason and their lands came into our hands. You shall grant all these lands to the Earl of Mountalexander. *Pp.* 1½. *Ibid. pp.* 59-60.

Also similar letter dated Oct. *Ibid. pp.* 112 *and* 113.

Also a draft of same. *Pp.* 1½. *Endd. S.P. Ireland* 307, 233.

19 Oct. Entry of Warrant to the Attorney and Solicitor-General.

Directing that special clauses be put in the new Act of Parliament for preserving the estate of the late Sir Thomas Allen, of St. Wolston's *alias* Allen's Court, &c., in the co. Kildare to the Earl of Mountalexander. The King has granted the Earl this estate which has been forfeited by John and Thomas Allen, the heirs of Sir Thomas. *P.* ¾. *S.P. Dom. Entry Book V. p.* 13.

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19 Oct. LORD CHANCELLOR EUSTACE to SECRETARY NICHOLAS.

The Lords Justices are sending over a statement of the present charge of the kingdom as they found it when they came in to the Government, and I daresay that if the bills pass which are already transmitted, and which are now under consideration here, there never was so much done to the Crown of England in any one man's government, nor the revenue so raised, as now it will be. You will be of the same mind. The way is made plain for those who will succeed us in the government.

You will see from the enclosures what has been and now is the course held with regard to recusant lawyers as to the oath to be taken by them. I thought it well to send it to you that you may acquaint the King if you think fit. "But, being the precedent in the time of his most Royal grandfather, which his Majesty doth but follow, the letters will go hence by this post against practising, but I profess unto you against my sense."

The Earl of Meath has petitioned the King against Sir William Domvile and me, and, as I have seen the petition I have drawn an answer to it, which I am now sending to my nephew, Maurice Eustace, a student at Lincoln's Inn. I believe Sir William Domvile will do the same with his answer. I hope you will stand by us so long as you find us innocent, and that you will signify to the King in the most humble manner how important it is that his officers of state should be supported. "My crime in effect is this in effect [*sic*] that I have fixed the seal to a *fiant* of Sir Wm. Domvill where there is near twenty times the rent reserved as in the Earl's *fiant*." My only view was to increase the King's revenue. As to everything else, I plead "not guilty." We pray that we may be dismissed with our costs.

P.S. A letter will be sent you from the Lords Justices and Council to move his Majesty that the bill empowering the imposing of the oath of supremacy should be assented to by the King and returned hither. I opposed this suggestion, it being unreasonable at this time to press his Majesty thereunto having so much of other perplex business at the time before him; [and saying] that we had little thanks for surprising his Majesty at first, and should as I thought have less now. But I did not prevail and could not get anybody to second me. *Pp.* 1½. (*Hol.*). *Add. Endd. in* Nicholas' *hand. S.P. Ireland* 307, 284. *Enclosing*—

Extract by James Grace from the Register Book of the Court of Chancery in Ireland, containing:—

(*a*) *Copy of order by the Lord Deputy to Council to Lord Anngier and the rest of the Commissioners of the Chancery.*

We have received instructions from the King concerning the admission of natives being lawyers to plead in the King's Courts, taking only the oath in the instructions mentioned, together with the several other instructions for the Judges in their circuits to be

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observed. We send you herewith an extract of these for your better information, and order you to see them put into execution. P. ½. *Overwritten by Lord Deputy Falkland and with signatures (not autograph) of, Lord Docwra, Lord Esmond, Sir Wm. Parsons, Sir Edward Fisher, and Sir Adam Loftus. Two copies, p.* ½ *and p.* 1.

(*b*) *Note of Articles* 15 [*of certain clauses of grace and favour*].

All natives who heretofore practised in the Irish Courts may continue to practise and all natives who shall have been students at the Inns of Court for five years, and shall be able to prove the same, shall be admitted by the Judges to practise taking only the following oath :—

Here follows form of an oath of allegiance.

It is to the effect that King Charles is lawful King of England, that he who takes the oath will bear him allegiance, will defend him against all conspiracies, and will disclose all conspiracies against him. Two copies, p. 1 *and p.* 1. *Endd. In all, pp.* 1½ *and p.* ½. *S.P. Ireland* 307, 234, 1 *and* 2.[1]

21 Oct. Whitehall. The KING to the LORDS JUSTICES on behalf of the OFFICERS who served in Ireland before 5 June, 1649.

These officers complain that though our recent Declaration declared that they should be paid their arrears out of forfeited lands in the counties of Wicklow, Longford, Leitrim and Donegal, and out of the forfeited lands undisposed of in Connaught or Clare lying within one mile of the river Shannon or the sea, commonly called "the mile line," and also out of the houses and tenements in Ireland forfeited in the several walled towns and corporations, and lands thereunto belonging; yet that there is a distinction raised in the Court of Exchequer in Ireland between boroughs, cities, and walled towns [on the one hand] and corporations [on the other], "by which nicety the Barons there do withhold the borough of Swords (which sends a burgess to Parliament)" from being part of that security. We hereby declare that cities, boroughs and borough towns are comprehended in their security under the general terms "walled towns and corporations." You shall cause possession of the borough of Swords and the lands thereunto belonging, as [and] of all other cities, boroughs, corporations and walled towns in Ireland, and of all forfeited or forfeitable houses in them, and of all other lands, tenements and hereditaments not already passed away by grant under our great seal, which our Declaration appointed for the security of the said officers, to be forthwith delivered to the trustees appointed for managing such security. Clauses for execution *Pp.* 1½. *S.P. Dom. Signet Office V. pp.* 65-6.

[1] *See Calendar of S.P. Ireland,* 1625-32 *at p.* 332 *and* 353.

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21 Oct. Whitehall. The KING to the LORDS JUSTICES for SIR JOHN BOURKE.

We declared in our Declaration that transplanted persons who were restored to their estates should yield up to us the estates [in Connaught] to which they had been transplanted. We find that Thomas Luttrell, of Luttrellstown, co. Dublin, although he has been by our orders restored to much of his lands, is still possessed of several parcels of land belonging to Sir John Bourke, of Derry Maclaghugh [Derrymaclaughna?], co. Galway, who has specially merited our favours. Luttrell shall restore these lands to Sir John. *P.* ⅔. *S.P. Dom. Signet Office V. p.* 75.

22 Oct. Whitehall. SAME to the MASTER of the COURT of WARDS for COLONEL HEYWARD ST. LEGER.

A petition by Colonel St. Leger sets forth that his wife, Dame Barbara Barrett, obtained from the Duke [then Marquis] of Ormond, in 1648, a grant (such as the times would then permit) of the wardship of the body and lands of William, her infant son, by Sir Andrew Barrett, Kt., deceased; that we recommended the Chief Governors of Ireland on 6 October, 1660, to take cognizance of this grant; that the Lords Justices by their order of 22 February last recommended to you the granting by the wardship of William Barrett to the petitioner; and that by our letters of 3 May we recommended the passing of the grant to the petitioner. The petitioner further complained that a commission issued to find an office entitling us to the wardship whereby it might be legally granted to the petitioner, but that its execution was stopped by proclamation of the Lords Justices and that in the meantime Lord Viscount Shannon obtained our letter for passing of this wardship to him, which grant was passed to him without any inquisition or office first taken. He asks that an inquisition may be directed to be taken and an office found for us and a grant of the wardship given to him. You shall consider this matter and proceed in it according to equity and the rules of your Court. *Pp.* 1¼. *Ibid. pp.* 71-2.

21 Oct. Whitehall. The KING to the LORDS JUSTICES for ALDERMAN ROBERT DEE and the MAYORS [for the time being] OF DUBLIN.

As a reward for his loyal assistance in our restoration we gave Alderman Dee the command of a foot company in Ireland. As a further mark of our favour we direct that you take order that at Alderman Dee's decease, his company shall be conferred as the "successive Mayors of that city for the time being" provided that you or your successors approve of such Mayor or Mayors for this command. *P.* 1. *Ibid. p.* 67.

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24 Oct. Whitehall. NOTE of a WARRANT to SIR HENEAGE FINCH, KT. and BT., Solicitor-General.

Directing him to insert in the act of settlement a clause for making good to Marcus Trevor, Esq., the King's grant of the forfeited interests of the towns of Dundalk and Carlingford in Ireland together with the lands contained in the said grant which bears date 18 Feb., 1660. *P.* ¼. *Entry. S.P. Ireland* 308, *p.* 104.

25 Oct. Colen [Cologue]. PETITION of ANTHONY REYNOLDS to the KING, showing that:—

The petititioner relies much on the King's goodness. He has often been with his Majesty at Colen [Cologne]. He asks that the King will favour his nephews and friends who are named in the Duke's letter, "as also of that whole family in Ireland" that their lands and possessions great or small, may be restored to them. They had no hand in the war against the King or his Crown. Mr. Daniel Reynolds, petitioner's brother, was killed in the first year of the war in the King's service, in a troop of horse commanded by Daniel O'Niel. *Pp.* 2½. (*Hol.*). *Endd. in* Nicholas' *hand. S.P. Ireland* 307, 235.

26 Oct. Whitehall. [SECRETARY NICHOLAS] to the LORDS JUSTICES.

As the bills you sent over cannot be sent back in time, the King has thought fit to direct you, by the enclosed letter, to prorogue Parliament by Proclamation till the 6th of December. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 78.

26 Oct. Dublin. The EARL OF ORRERY to SECRETARY NICHOLAS.

I send you a copy of an important letter which came into my hands to-day and of the branch of my letters this post to the Lord Chancellor on the subject. We have important news to-day from one of our best intelligences. I am searching into the bottom of it and, if I can substantiate it, will send you further news. *P.* ⅔. (*Hol.*). *Add. Endd. in* Nicholas' *hand. S.P. Ireland* 307, 236.

About 26 Oct. DRAFT of the KING to the LORDS JUSTICES for ST. JOHN BRODERICK.

Directing that he be appointed Provost-Marshal of Munster. *P.* ½. *Endd. Ibid.* 237.

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[About 26 Oct.] DRAFT of the KING to the LORDS JUSTICES in the matters of HEYWARD ST. LEGER and SIR ST. JOHN BRODERICK.

Broderick's petition sets forth the differance between himself and one Heyward St. Leger [the name Theobald Butler is here erased] concerning the office of Provost Marshal-General of Munster. The matter shall be referred to two or more of our judges who shall compose it or send it to us for settlement. In the meantime nothing shall pass to the prejudice of the petitioner. *P.* ½. *Endd. S.P. Ireland* 307, 238.

26 Oct. Whitehall. The KING to the LORDS JUSTICES for COL. HEYWARD ST. LEGER.

We formerly wrote to you on behalf of Col. St. Leger directing that he should be appointed Provost Marshal of Munster as deputy to Theobald Butler, Esq., and that you should pass letters patent in reversion to him of the said place. We hear that he is kept out of it by some person who has no right to it. You shall see that justice is promptly done to him. *P.* ⅓. *S.P. Dom. Signet Office V. pp.* 70-71. [*See below at end of* 1661, *Addenda.*]

28 Oct. Whitehall. SAME for SIR WILLIAM PENN.

By our Declaration of November, 1660, we directed that Sir William should be confirmed in his lands subject to reprisals in case we should find former owners thereof to be restorable to any part of them. Sir William has since given up certain lands in the barony of Muskerry, co. Cork, to the Earl of Clancarty, whom we declared restorable thereto, and has handed over to him the rents due at Michaelmas, 1660, before he received any reprise. Sir William, it appears, had considerably improved this property. We wish that he be at no loss by this ready compliance with our desires. He obtained certain lands in Cork for one year only as a reprisal, and paying a rent of £423 to us. He shall have a grant of these lands for three further years unless he shall receive before the expiration of that term full compensation for what he has given up. You shall have a true valuation made of the lands which Sir William surrendered and of the rents which he yielded up to the Earl, and shall allow him to retain for compensation therefor the rents due at Michaelmas last out of the lands which he now holds, and he shall retain the growing rents of such lands without payment to us, till he be fully satisfied for what he has given up. He shall not be deprived of the benefit of this letter. Clauses of *non obstante*, &c. *Pp.* 2. *Ibid. pp.* 76-78.

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29 Oct. Whitehall. [Secretary Nicholas] to the Lords Justices.

Since my last of the 26th, Sir Audley Mervin has informed the King that to prorogue Parliament by proclamation is tantamount to dissolving it, which is not the King's intention. You shall therefore, in spite of those last letters to you, prorogue it to 6 December, in such way as you think fit. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 78.

29 Oct. Dublin. The Earl of Orrery to Secretary Nicholas.

I endeavoured to keep back the bill for settlement of the Excise until I received instructions as to the making perpetual of the settlement on the Crown of the excise on imported commodities. Many of the Council, however, believing that the non-remittal of the Excise Bill might retard the passing of the Act of Settlement, so pressed for it to be sent away that I could not civilly stop it. I therefore on Saturday moved the Board that the Excise on imported commodities, which, by the engrossed bill was to be only temporary, might be perpetual, which proposal I carried. This will gain the Crown £30,000 a year. I leave you to acquaint the King with this fact or not as you please, "for I know when I have done all I can, I shall be an unprofitable servant and act infinitely below what my duty, my affection and my obligations exact from, Honoured Sir, your most faithful and most humble servant

Orrery."

P. 1. (*Hol.*). *Add. Endd. in* Nicholas' *hand. S.P. Ireland* 307, 239.

Same. Lord Chancellor Eustace to the Same.

This gentleman, Mr. Thomas Kennedy, has heard that it is intended to change the Commissioners for executing the King's Declaration. He fears that he may be outed of his employment—which he has by letters patent under the Great Seal of Ireland, and is going to Court to plead his case. I recommend him. *P.* ½. (*Hol.*). *Add. Endd. in* Nicholas' *hand. Ibid.* 240.

[29 Oct.] Note on Henry O'Neile's Petition.

The King should have orders given to the Commissioners for settling the Declaration in Ireland, that they reprise Lord Massereene with other forfeited lands in co. Dublin to the value of the estate

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belonging to Henry O'Neile, of Killelaugh [Killylough], and to restore the same to him again; and that they also reprise Lord Massereene, for one of his estates enjoyed as an adventurer in the barony of Dunluce and delivered to Daniel O'Neile, of the King's bedchamber, according to the King's letters of 18 December and 14 August last, whereby an encumbrance of much greater value secured to the said Mr. O'Neile on the the whole barony of Dunluce, set out to the Adventurers, is taken off. *P.* ½. *Endd. with date and "Copy of the paper given to Mr. Secretary Nicholas by the Duke of Ormond." S.P. Ireland* 307, 241.

29 Oct. Whitehall. The KING to the LORDS JUSTICES.

Directing them to prorogue the Irish Parliament to 6 December next. *P.* ½. *S.P. Dom. Signet Office V. p.* 68.

30 Oct. Whitehall. SAME for NICHOLAS RUTLEDGE.

Directing that he be appointed yeoman usher of the House of Peers in Ireland. *P.* ½. *Ibid. p.* 73.

Same. SAME for COL. CHARLES WHEELER.

We have given the wardship of John, son and heir of Leceister, Lecister or Lester, of Kilcarmake [Kilcormac[1] or Frankford], King's Co., to Col. Charles Wheeler. You shall make him a grant accordingly, including the marriage of the ward and other incidental profits, and shall cause a commission to issue to inquire into our title to the wardship. *P.* ½. *Ibid. pp.* 78-9.

31 Oct. Whitehall. SAME for SIR JOHN STEPHENS.

Directs that he be allowed 10*s.* a day extra as Governor of Dublin Castle in addition to the 10*s.* already allowed him for that post. *P.* ⅓. *Ibid. p.* 73.

[About same.[2]] PETITION to the KING of DAME FRIDESWYD STEEVENS, relict of SIR JOHN STEEVENS and of ARABELLA, her daughter, showing that:—

The King, owing to petitioner's husband's loss of the command of Dublin Castle, gave him £336 a year as a pension, and after his death, continued the pension to petitioners by patent under the Great Seal of Ireland, which is settled on the present establishment there.

(1) Kindly sent me by Mr. Grattan Flood, *see* above *p.* 431.
(2) Placed with foregoing for convenience.

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There has recently been a stop of payment which affects petitioners seriously. They pray for relief. *P.* ½. *Undated. Endd. S.P. Ireland* 307, 242.

PETITION to the KING of ANNE STEEVENS or STEPHENS.

"Dear Sovereign" I am constrained to ask a small request of your Majesty, which if your Majesty grant "then may I say that I have seen your face as if it were the face of an angel of God this day, for if ever Royal virtues crowned a crown, if ever mildness shined in Majesty, if ever Honour honoured true renown, if ever courage dwelt with clemency, if ever Prince put all princes down for temperance, power, prudence, equity, it is King Charles and none but he."

I should like the quit rent of the lands I rent in co. Limerick. It is £32 a year. Your Majesty will not have the loss; the farmers have enough and I am in want. "God direct your Royal heart to give it me freely, for I have adventured my life for it. I pray for your Majesty here every day, and sometimes three or four times a day, and perhaps a Bishop that hath £1,000, £1,500 or £2,000 a year from your Majesty doth no more I believe. Oh King let not the persuasions of any that stand by your Majesty this day turn away your princely heart from me; but in mercy oh Majesty on earth look on me, that the Majesty both of Heaven and earth may crown your Royal heart in Heaven for ever hereafter." *P.* 1. *Ibid.* 243. [1]

31 Oct. Whitehall. The KING to the LORDS JUSTICES to COLONEL CARY DILLON.

You will see from Col. Dillon's petition which we enclose that he has not derived any advantage from our letters of 31 August, 1661 whereby we confirmed a grant of a privy seal of £200 a year given by Charles I. to his father, the Earl of Roscommon. His father left this privy seal to Col. Dillon by his last will. You shall take any steps you can to satisfy what the petitioner's father intended to him, or to give him what may be of equal value to the said privy seal. *P.* ½. *S.P. Dom. Signet Office V. p.* 74.

And draft of same. *P.* 1. *Endd. S.P. Ireland* 307, 244.

Same. SAME for the DUKE OF ORMOND.

On 20 November, 1660, we directed the Masters of our Wards and Liveries to make inquiry by commission of our title to the body and lands of Nicholas Purcell, of Loughmye [Loughmoe], and if, by the inquisitions, a title were found for us, to grant the wardship without fee to the infant's uncle, the Duke of Ormond. Title has now been found for us, but the Court of Wards was stopped before a grant could pass. As the grant passed before our Declaration of 30 November, 1660, and as the intituling office to the said wardship was found before the stop, you shall take order that the rents and profits of the wardship be paid to the Duke. *P.* ½. *S.P. Dom. Signet Office V. p.* 76.

[1] Placed with foregoing for convenience.

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31 Oct. Whitehall. The KING to the LORDS JUSTICES for THOMAS BOURKE, and REDMOND "GARE" BOURKE and for TERLAGH O'LOGHLIN.

Directing that, if convicted, they shall be pardoned. *P.* ⅓. *S.P. Dom. Signet Office V. p.* 74.

[Oct.] DRAFT of the KING to the LORDS JUSTICES for SIR HENRY TALBOT.

On 17 December last we ordered [*see* the letters of 17 Dec., 1660, and 9 March, 1661, *above p.* 252 *and* 253]. Having had report of the value of the lands taken from him, we direct that the 2,500 acres in Connaught, of which he is at present in possession by assignation to him, be upon the final settlement, confirmed to him and his heirs by letters patents in due form, in case the proprietors be not restored; and if otherwise, then that the same value be elsewhere assured to him in full recompense for his said land and arrears before he be dispossessed of that land. *P.* 1. *Endd. with date. S.P. Ireland* 307, 245.

Oct. SAME for the EARL OF CARLINGFORD.

By our letters of April 9 last, we directed you to give Lord Taaffe, now Earl of Carlingford, reprisals for the lands of Collooney. He has been given a *custodium* of certain lands in the co. Louth. These shall be valued according to the rents or proportion of rents reserved to the Crown and now remaining of Record in the Court of Exchequer, and shall be passed to him at that value by patents. Any other rents recorded in the Exchequer against these lands shall be put out of charge. If these lands turn out to belong to any restorable person, you shall give the Earl lands of equal value elsewhere. *Pp.* 1¾. Dated October. *Ibid.* 246.

Same. SAME for CHARITY TOWNLEY, relict of MAJOR CHARLES TOWNLEY.

Her husband died in our service. She and her children shall be restored to their lands. Clauses for execution. *P.* ½. *S.P. Dom. Signet Office V. p.* 68.

And also draft of same. *P.* ⅜. *Endd. S.P. Ireland* 307, 247.

Also entry of same dated Oct. 24. Two lines. *S.P. Ireland* 308, *p.* 104.

Same. SIGN MANUAL WARRANT to the LORDS JUSTICES.

By our letters of 12 November last we directed that Mathew Plunkett should be restored to all lands which formerly belonged to him or his father, Lord Louth, and which were or should be in our disposal. Since then we have been informed by Plunkett that his grandmother, Dame Mary, Baroness of Louth, is dead, and that the lands settled for her jointure or dower have come to us. You shall, as he asks, grant him these lands. Clauses for execution (*see above p.* 179 *note*). *Pp.* 1½. *Endd. S.P. Ireland* 307, 248.

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Oct. Whitehall. The KING to the LORDS JUSTICES for VISCOUNT MOUNTGARRETT.

We did not intend, by our grant to Major Lowe of one Major Adams' estate, to give him any part of the estate of Viscount Mountgarrett, who is a restorable person. You shall consider the enclosed petition [of Mountgarrett—not entered] and see that he is restored to all the lands of which his father was deprived. *P.* 1. *S.P. Dom. Signet Office V. pp.* 62-3.

NOVEMBER, **1661.**

4 Nov.[1] ROYAL WARRANT to [the ATTORNEY-GENERAL].

Directing him to prepare a bill for the King's signature for appointing the Duke of Ormond, Lord Lieutenant of Ireland, in the following form. *P.* ½. *Followed by*—

DRAFT of APPOINTMENT of the DUKE OF ORMOND as above.

The preamble recites that the Duke—"qui plurima egregia servitia serenissimo patri nostro (beatissimae memoriæ) in eodem regno . . . . per multos annos in temporibus maximæ calamitatis, summâ cum prudentiâ et integritate prestiterit, ac sese fidelem et fortem assertorem Coronæ Angliæ virium continue comprobaverit, utpote qui dicto patri nostro per totam flagitiosam illam subditorum suorum defectionem magnanimiter adherescens, in prato primus et audax, in consilio prudens et nemini secundus extiterit, atque nobis etiam tam extremis exilii nostri angustiis, tam felici restitutione nostra, inseparabilis et indefatigabilis adfuerit comes et adjutor"—is deserving of the place of Lord Lieutenant. The execution clauses set out his powers in detail. Amongst the powers granted are:—

Power to pardon past or present rebels or traitors.

Power to punish offenders with death.

Power to receive fealty from the Archbishops and Bishops, and also other things due by right from the Church to the Crown.

Full power as to receipt of fees, privileges, &c.

Power to command the army and exercise martial law.

In all, pp. 7 (*with many details*) *in Latin, except for heading. S.P. Dom. Entry Books IV. pp.* 32-8.

5 Nov. Whitehall. The KING to the LORDS JUSTICES for MARY MOLLEY [MOLLOY?].

Mary's grandfather was given a pension of £32 a year by Queen Elizabeth, in reward for his services. Mary was dispossessed of her lands during the late wars. She shall be restored as an innocent person to her lands, and also to her grandfather's pension, with arrears due since our Restoration. *P.* ½. *S.P. Dom. Signet Office V. pp.* 87-8.

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(1) *See* Dict. Nat. Biog., *sub voce* Butler James, first Duke of Ormond.

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5 Nov. Whitehall. The KING to the LORDS JUSTICES for COL. HANS HAMILTON.

Directing that he have all his proved arrears paid out of the forfeited houses in Kells and Navan, and lands thereto belonging, which are appointed for the payment of arrears for service before June, 1649. If these do not suffice to pay him he shall have recourse to the forfeited lands in the lordship of the Three Castles and adjoining it in the barony of Talbotstown, co. Wicklow. The value of them shall be reckoned, in accordance with the Declaration, at eight years' purchase. He shall have a grant for ever of the tolls of the fairs and markets held on these lands at the yearly rents formerly paid for the same. *P.* ½. *S.P. Dom. Signet Office V. p.* 97.

Same. [SECRETARY NICHOLAS] to the LORDS JUSTICES.

The King orders me to thank you in his name for your zeal, industry, and prudence in managing the affairs of Ireland and especially in sending the proposals of 17 October for making the Irish revenue balance. The King has decided to make the Duke of Ormond Lord Lieutenant of Ireland, and I inform you thereof. The Commissioners employed here from your lordships and the two Houses have been to congratulate his Grace. *P.* ⅔. *Entry. S.P. Ireland* 308, *p.* 77*a*.

Before 5 Nov. The INFORMATION of COL. ALEXANDER MACNACHTON.

This informant will make good that:—

In 1642, when Major-General Munroe [or Monro] went into Ireland, marching towards Coleraine, he left Sir Mongo Campbell's regiment and that of Sir John Clotworthy (now Lord "Mazerine") at Balimony [Ballymoney], within two miles whereof there was a fort built by the Macnauchton's called Macnauchton's fort, for preserving themselves from those which went into the Irish rebellion. They, hearing that some of the army were at Ballymoney, and that Col. Campbell had the command of them, wrote to him, showing that they were there for their own defence and to give obedience to any that had his Majesty's orders, and they desired a protection that they might come and live in the country. The Lord Mazerine, intercepting the letter, did not deliver it to Col. Campbell, but sent his own Major, as it were from Col. Campbell, showing that he would protect them, and gave them assurance for their lives and goods, whereupon they came out of the fort. But immediately after the said Lord Mazerine caused the fort to be plundered, took the prisoners and kept them till night, but did not bring them near where Col. Campbell was quartered. Yet Col. Campbell's brother, being on the guard and seeing prisoners taken, asked what they were, and, being informed, told Col. Campbell. Col. Campbell sent to Lord Massereene for an explanation, who assured him that he should the next day have a full account, and that the men and their goods should be delivered to them harmless. "Whereupon Captain Campbell got into his custody fifteen gentlemen, who (for

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the relation he had to them) kept them that night, not expecting that Mazerine would prejudice the rest. But contrary to his promise the said Mazerine did by break of day cause fourscore of these men to be *barbarouslie murthered*, who were all the informant's friends and followers." Col. Campbell, being angry at the murder, again demanded explanations, and Mazerine said he would give them before General Munro. He, however, fled to England and never appeared before General Munro, "but when he came to the Parliament informed them that he had stormed a strong fort wherein there were many Irish and took it by force, for which service he received £1,000." Deponent will prove this murder by many credible witnesses. *P.* ¾. *Endd. in* Nicholas' *hand. S.P. Ireland* 307, 249.

About 5 Nov. A true RELATION and ANSWER of the LORD MASSEREENE to the Information of Colonel Alexander Machoughton, which was delivered to Lord Massereene by Mr. Secretary Nicholas on 5 November, 1661, and is hereto annexed.

None of the statements which reflect on Lord Massereene are truly stated. He affirms as follows:—

At the time when these men "complained to be killed" at Ballymoney *alias* McNachton's fort, the whole Scotch army and some of the English regiments marched forth together, which being distributed near the mouth of the Bann river, Lord Massereene, Col. Campbell and Col. George Munroe's regiments were ordered to scour the river of the Bann and Major-General Robert Munroe and the other part of the army the sea side. We intended so to clear that country of the rebels who daily infested Carrickfergus, Coleraine, Antrim and the other garrisons.

As the party commanded by Lord Massereene, Col. Campbell and Col. Munroe was on the march, they, observing this fort, sent 500 men to take it under the command of Major O'Connelly, who discovered the rebellion[1], then Major to the Lord Massereene. The reason why they wanted to take this fort was because it was the strength of those called "the bloody rebels of the Root," who had committed many cruelties on the poor Protestants. They were then confidently reported to be the authors of the cutting off of the English regiment of Coleraine. This regiment had recently been encountered and defeated by the rebels and were fallen upon in their retreat by people from this fort. Soon after, when the fort was taken, the colours of the English regiment were found there.

When O'Connelly challenged the fort it refused to surrender and stood on its defence. The whole narration about Lord Massereene having intercepted a letter from the fort to Col. Campbell is an invention "never heard of till now and dressed for the occasion; and the Lord Massereene offers what appearance of truth there is in their sending any letter at all to Col. Campbell forasmuch as he was privy to the sending out of that party with Major O'Connelly, that took in the fort; and, as he remembers, a proportionable number were sent out of this regiment as of the Lord Massereene's and Col. George Munroe's men with this commanded party."

(1) *See Calendar of S.P. Ireland* 1633-47, *p.* 342, at bottom.

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They in the fort refusing, O'Connelly's party made ready for a storm. The enemy seeing that, and knowing the certain consequence, yielded unconditionally; and our men entering immediately bound the prisoners and pillaging the fort, found five or six of the colours of the Coleraine regiment that had been cut off by them a little before. All those supposed passages of O'Connelly coming to the fort in Col. Campbell's name, of his promising protection, of his securing their lives and goods for them, fathered on Major O'Connelly, are, Lord Massereene believes, equally true with the story of the intercepting of the letter. O'Connelly had no order or occasion for using any such indirect means. None of the prisoners, so far as Lord Massereene knows, claimed any such promise as that mentioned.

The prisoners were brought by O'Connelly into the Leaguer and Lord Massereene, Col. Campbell and Col. Munroe being in company, as he remembers, went to view them. They were put under the care of one Capt. Campbell, brother to Col. Campbell, who then had the guard, "and Col. Campbell speaking the Highland Irish with divers of them," finding, as it appears by the sequel, some of them such as he either had kindness for, or intended to make use of, caused them to be kept apart and a little in front from the rest.

"Observe these seem to be the fifteen gentlemen spoken of in the information which he who had the opportunity by having the guards to separate from the rest, might have made what number he pleased, the Lord Massereene no way concerning himself by promise [or] otherwise, as is suggested in the information, little supposing any such way was intended of putting them to the sword, which was soon after executed on them by their countrymen the other Highlanders." It may be observed that the information is contradictory for it says that the prisoners were not brought near Col. Campbell's quarters, whereas they were then under the guard of his own brother and he had separated from among them whom he pleased. "And the officers being immediately gathered together to devise what to do with the said prisoners, seeing they were brought alive (which was not usual at that time) there went off immediately 30 or 40 muskets, and they calling to the sentinel at the tent door to inquire the reason, were told the soldiers had killed all the prisoners except a few, which proved to be those fifteen gentlemen Col. Campbell had set apart immediately before and found to be either his relations amongst them, or such of whom he thought to make use and therefore would spare. This being done without any order that appeared, was then and often after resented by the Lord Massereene as most unhandsome, respecting the manner of the thing, though there was enough, seeing the English colours were found in their possession, to have brought them to a trial of court martial where they could not have escaped." On his inquiring for the cause of this sudden killing, certain reasons were suggested:—

One was that they were men who were in a particular relation dependants to the Macdonnells and falling into the hands of the Campbells, "between whom there hath been an ancient feud, met

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with that fate which either sept gave the other coming under their power, for such hath been their constant practice, as is notoriously known."

Another reason was that the finding of the English colours in their possession revived among the soldiers memories of the cruelties perpetrated on the poor soldiers and especially on those of Coleraine. Both these reasons were urged by the unruly soldiers, "because no quarter had been given before that time; nor, indeed, in some years after on either side." The Earl of Mount Alexander, Sir Henry Tichbourne, Sir Arthur Forbes, Col. Trevor, and all that served in the early part of that war will testify to this.

Lord Massereene does not know whether these MacNachtons thus killed by their own countrymen were or were not the informant's friends and followers, but he does know that they were inhabitants in that country and tenants to the Marquis of Antrim, in whose behalf Lord Masseereene thinks he can show more reason why Col. McNachton should thus concern himself than for any relation those men had to him who dwelt in that country where he had neither a foot of land nor any interest. There is no colour for the statement made that Col. Campbell should challenge Lord Massereene of the murder of the men, and that Lord Massereene should promise to answer it before Major-General Munroe.

Remaining several months in the country after this time, Lord Massereene was often in company with Major-General Munroe, who, he conceives, well knew who had cut off the men before mentioned, "but thought it not convenient to mention the same because they had such near relation to the Marquis of Argyle."

The informant is quite inaccurate in stating that Lord Massereene went to England, reported alleged services, and got £1,000 from the House of Commons. The Journals of the Parliament will prove that no such grant was made to him.

About a year ago when Lord Massereene was attending the King in the matter of the Declaration for settling Ireland, Col. McNachton spoke about this matter with some resentment. Thereupon Lord Massereene in presence of Sir Arthur Forbes went to him, and, informing him of the truth of the matter as is before recited, said that officers were now in town who had seen all that had happened and would corroborate Lord Massereene's explanation. Col. McNachton went no further because, as Lord Massereene thinks, he knew there were men in London who could refute him. He has now again made absolutely false suggestions by his scandalous paper.

Lord Massereene will bring evidence to prove his statement. *Pp.* 2¼. *S.P. Ireland* 307, 250.

5 Nov. Whitehall. The KING to the LORDS JUSTICES for ARTHUR HILL, ESQ., of Hillsborough, co. Down.

Arthur Hill has been a loyal servant and assisted much in our restoration. You shall favour him by giving him letters patents, granting to him as one manor the castles, towns, lands, &c., of Hillsborough, the half townland of Maghregary [Magherageery],

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Carnebane, Culcavy, the two townlands and a half of the Myses [Maze], Carnreagh, Crevegaveny, Cromlin, Aghnecloye, [Aughnacloy], Ballyaghtreske [Aghnatrisk?], Lisdine [Lisheen*], Ballykeele, Agheterfuny [Aughterfona*], Dromon, Tighugh, Corcreeny, Ballyknocke, *alias* Hillstoun, Ballylurganveil [Lurganvill], Ballygown *alias* Smithstown [Ballygowan], Listully, Corrane *alias* Listulley, Correran, Taughblane, Clonequill [Cloonykelly*], Aghedon, Varran, [Farran*], Drumintanty, Clogher, Edenticullo, Tullimore *alias* Kiltibert, Ballyworphy *alias* Ballymurphy and Ballykeel, Knocknamenan [Meenan], *alias* Edentigowle, Growle [Growell], Tullindeny [Tullindoney] *alias* Loppairvian, Dromondony, *alias* Dromonadony [Drumadony], Dromneknockan [Rock Hill*], Edentrilicke [Edentrillick], *alias* Letlerim, *alias* Copponagh, Moydalgan, Maghreclonish [Magheraconluce], Mullaghdrin, Cargighrey *alias* Carrickengray [Cargygray], Ballycroyne *alias* Ballycrinne [Ballycreen], Ballylentagh [Ballylintagh], Ballycarrickendaruffe [Carricknadariff] *alias* Carrickendarrow, Ballykeele, Logherine [Lougherin*], Ballinebraghy *alias* Ballyworphy [Ballyworfy], Ballykeele, Loghaghry [Loughaghry], Derrylaraderry, Begnive [Begny], the half town of Moyvrick *alias* Moyturk [Moybrick], all in the barony of Evagh [Iveagh], co. Down. This manor shall be called the manor of Hillsborough, and for this Hill shall have power to set apart 1,500 acres thereof for a demesne. He may aliene these lands in fee or for lives to servants to be held of him in free socage or by knight's service notwithstanding the statute *Quia Emptores*, or by suit of court from three weeks to three weeks or seldomer. Hill and his heirs may hold a court leet, view of frankpledge, and court baron. He may impark 1,000 acres or more thereof and put therein "deer and other beasts of venery" with all liberties attaching to the grant of a free park, waifs, strays, felons, roads, &c., a monthly fair in the town of Hillsborough between March 1 and November 30, a weekly market at Hillsborough, and a yearly fair on the first Wednesday in September at Ansebury in the barony of Castlereagh, co. Down. He shall pay 20*s.* rent a year for the fair at Hillsborough, and 5*s.* a year for the market there. He shall have power to appoint a clerk of the market at Hillsborough, who shall have the usual fees, &c. He may hold a Council of Record at Hillsborough, and appoint a seneschal to preside there who shall have power to hold cognizance of any personal action for £200 or less, with the usual fees, &c. The fortifications made by Hill at Hillsborough having been declared a fort by our letters patents, dated 21 Dec., 1660, it shall be provided in order to attract English settlers, that 100 acres of arable land, meadow, and pasture be a free borough called the borough and town of Hillsborough, and shall have all the said cities, privileges, &c., given to the borough of Banagher, or such others as you think fit. Arthur Hill and his heirs shall from time to time appoint a Recorder and Town Clerk of Hillsborough and the inhabitants shall do suit and service at all the aforesaid courts. *Pp.* 2¾. *S.P. Dom. Signet Office V. pp.* 79-82.

* Mr. Grattan Flood has kindly sent me these suggestions.

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6 Nov. Council Chamber, Dublin.

The Lords Justices to Secretary Nicholas.

This being the day to which Parliament stood prorogued, we have to-day further prorogued it a month. We hope that by that time the bills which are now with you will have come back here. The bills affecting the King's revenue are to come into operation on December 25 next, and if they be not passed by that time the King will lose a considerable sum and the army be disappointed of its pay. We hope these bills will be sent over speedily. *P.* ⅔. *Signed by* the Lords Justices. *Add. Endd. in* Nicholas' *hand. S.P. Ireland* 307, 251.

7 Nov. Council Chamber, Dublin.

Proclamation by the Lords Justices and Council.

On 19 June we commissioned certain persons to be receivers of the quit-rents due to the King for the half-year ending at Easter last, according to the instructions formerly given by us to the said Commissioners, bearing date 16 February, 166⅔. We do not now need their services any further and we appoint the following as receivers for the half-year ending Michaelmas last:— Co. Meath, Arthur Dillon, Esq.; co. Westmeath, James Leigh, Esq.; Queen's Co., John Gilbert, Esq.; King's Co., John Wakely, Esq.; co. Kilkenny, Joseph Wheeler, Esq.; co. Wexford, John Tench, Esq.; co. Louth, Wm. Toxteeth, Esq.; co. Longford, Sir Richard Lane, Kt. and Bt.; co. Antrim, Peter Beaghan, Esq.; co. Down, Carrol Bolton, Esq.; co. Armagh, Francis Chambers, Esq.; co. Monaghan, Tristram Cary, Esq.; co. Cavan, Samuel Townely, Esq.; co. Londonderry, Paul Brasier, Esq.; co. Donegal, George Cary, Esq.; co. Tyrone, Humphrey Evat, Esq.; co. Fermanagh, George Slack, Esq.; Munster, Earl of Orrery; Connaught and Clare, Lords Castle Coote and Collooney.

The above shall give good bonds before the Justices of the Peace, with sureties in double the amount to Sir James Ware, Auditor-General, to pay in the several sums which they collect to His Majesty's Treasurer and Receiver General in the Court of Exchequer and to make an account of the same. These bonds shall be sent up to the Auditor General. After they have been entered into, and not before, the collection is to take place according to our instructions of February 16 last, so that it be completed by November 30, and it shall take place at places appointed by the collector in each barony. The collectors shall deduct five per cent. from what they receive for their travel and charges. Where they find lands concealed which are liable to quit-rents and not charged, they shall put them in charge, collect the proper sum, and add it to their account. They shall not collect from those persons who can prove that they have already paid for this period. *Pp.* 3. *Entry. Overwritten by the* Justices *and signed by* 11 members of the Council, with orders, &c., as the order No. 2 of July 31. *S.P. Ireland* 309, *pp.* 29-31.

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8 Nov. PETITION to the KING of THOMAS BATTY, showing that :—

Petitioner was Receiver of the Public Revenue in Tipperary in Ireland from May, 1650, to May, 1658. He has given a true account of near £300,000 which passed through his hands in that time. By the balance of the last account remaining in the Court of Exchequer there, the petitioner is made debtor the sum of £493. Petitioner was really indebted in £304 on the account, several particulars amounting to the odd £189, being disallowed for want of proof. This happened through petitioner's necessary absence at the time of giving in the account, besides several sums which petitioner could not prove [he having] being necessitated to pay them on verbal orders.

Petitioner's employment is far from Dublin and his salary is only £100 a year. He has spent most of this in attending to his business and in going to and fro officially to Dublin, whereby he lost much time for his private occasions. He has lost rather than gained of this service and has been so impoverished that he cannot pay this small debt.

He prays for leave to pay off this debt by sums of £20 a year. *P.* ½. *Endd with—*

Order, dated 8 November, *and signed by* Secretary Lane, referring the petition to the Committee for Irish Affairs. *P.* ½. *In all, p.* ⅘. *Endd. S.P. Ireland* 307, 252.

About 8 Nov. THE HUMBLE DESIRES of the OFFICERS who served the late KING in Ireland before 1649.

They desire that they may have the same favour of keeping their possessions until they be reprised as other officers and the Adventurers have.

They ask that the surplussages (above what is proportionable to what the Adventurers are allowed of lands, &c., assigned) for monies or provisions furnished upon pretended ordinances or orders to which his late Majesty or the King did not consent, and that the surplusages of lands assigned for arrears to officers over and above for the rate of 12*s.* 6*d.* in the £ (for which only lands were set out to the "generallty" of the officers in the satisfying of their respective arrears) may be appointed for reprisals and as collateral security for the officers serving before 1649.

The particulars of the collateral security and securities for reprisals should be committed or entrusted into the same hands with the rest of the security.

The word "boroughs" should be added where "cities and walled towns" were appointed for their security.

Besides the words "Commissioned officers" these words should be added, "General officers, governors of garrisons by letters patent, staff officers and officers of the train."

Where satisfaction is to be given for reparation or where there are to be valuations of the year and year-and-half rents assigned towards the satisfaction of the said officers, the commissioners should

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be indifferently chosen and one half of their names exhibited by the said officers. It should be declared that the satisfaction for the reparations and improvements shall not exceed a fifth part of the respective values of the said houses and that out of such satisfaction reasonable deduction be made for the houses pulled down by the late or present possessors of them. The said improvements and reparations for which satisfaction is to be made should be only such as were before the King's Declaration.

A longer time should be assigned for the stating of the arrears of the said officers, the time for it being near expired.

The particulars appointed for satisfying the said arrears should be put out of charge in the Exchequer without fees and also the new rents to be reserved thereout should be put in charge without fees.

The Dukes of Albemarle and Ormond or their appointees should have power to assign the payment of disbursements necessary for prosecuting and preserving the particulars of the security and carrying on the affairs relating thereto. No monies should be paid out of the rents and profits of the said securities, but by appointment of their representatives or those whom they authorise.

The order in which the officers serving before 1649 are by the Declaration appointed to be paid should be kept inviolable. Divers endeavour to subvert or alter it.

Where particular lands or houses within the security are appointed for satisfying arrears of any officers or are otherwise granted to the Lords Justices and Council and Commissioners for execution of the said Declaration or this Act, or any of their officers, the same should be set out to them in all other things according to the rules given by His Majesty for setting out the rest of the security, and not otherwise. In the meantime the said lands and houses should be let to the best advantage for the said officers.

The baronies of Barrymore and Muskerry should not be set out to any persons except natives of Cork. If any of the said natives be restored to their properties, then the said lands in those baronies designed for the said natives' reprise should be ordered for the officers before 1649.

Where any corporations are set out to adventurers and soldiers not as corporations but measured as part of their lands assigned to them, such should be assigned to the 1649 security.

There should be a restriction that of the officers in Ulster only those should be admitted to have their arrears stated who were on the establishment. An expedient is proposed for the better regulating of the accounts of arrears of officers.

A time should be set for the distribution of the moneys and all other particulars of the said securities to the officers aforesaid, according to the Act of Settlement, by appointment of the Duke of Albemarle and the Duke of Ormond.

Such Protestant officers as served under the Lord Lieutenant from 5 June, 1649, to 26 April, 1650, and never served in the army since but under your Majesty's authority, should have their arrears

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stated for that time also, and should be allowed satisfaction for the same as for the rest of their respective arrears. The debentures to them respectively for those arrears should be for the whole time without distinction.

If any bill now or hereafter drafted by the Lords Justices and Council and submitted to the King in Council deals, or shall hereafter deal, with the interests of the 1649 officers, a copy of this bill should be given to their agents, and the officers should be allowed to take their exceptions against it. *Pp.* 2. *Endd. S.P. Ireland* 307, 253.

[About 8 Nov.] The Earl of Mountrath to Secretary Nicholas.

Although I trouble you little, knowing that you are busy, I constantly endeavour to serve the King. The bills sent over by Sir James Shaen, and others now transmitted by Sir James Cuffe and Major Goodwin, will prove that it was not without some good reason that I promised good results from the calling of the Parliament here. I feel sure they will pass the Houses when they are returned.

Sir James Cuffe, who takes this, was one of those chosen by the House of Commons to take over the bills; but he has been detained by a great fit of illness. He is a relative of mine and knows my affairs, and I hope you will let him wait upon you on my behalf, if my affairs there require it, upon the transacting of the general bill of settlement and also of the particular bill for my protection. The Justices have made bold to recommend to you a petition of Lord Kingston, my brother Collooney, and three or four more who were active in the King's service and to whom the King has given several gracious assurances for the satisfaction of their arrears before 1649, as in their petition is particularly expressed. I am very anxious they should be satisfied because, by His Majesty's command from Brussels, I gave them my engagement for the same, and the King has since ratified that assurance. Please see that some security is given them in the Act of Settlement. *P.* 1½. *Signed. Add. Endd. in* Nicholas' *hand.* Without date. R[eceived] 18 Nov. *Ibid.* 254.

Same. Sir Audley Mervin's speech to the King upon his declaring the Duke of Ormond Lord Lieutenant of Ireland.

"Most Gracious Sovereign,

"Spirits and elixirs are preserved in small glass violls[*sic*]. Our humble address is in the nature of an elixir and therefore must be given but in a few grains.

"Sir: We have with great devotion observed the exercise of your royal wisdom and patience in unravelling the complicated interests of your Kingdom of Ireland and winding them up upon their distinct bottoms. Some princes would have followed

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Alexander's method who cut the Gordian knot that either he could not or would not untie; but, Sir, if your subjects may take the pleasure and the profit, you have been contented to take the pains.

"Your Majesty found that kingdom a weather-beaten hull and sunk under water, but you have boyd it up, rigged it and equipped it that it is ready to be launched. Here your restless thoughts for your people's good put you upon an inquiry for an able and expert pilot—truly, Sir, a work of great importance. For as your Majesty is owner of this great bottom, so your subjects have their respective and proportionable shares in the cargazoon."

Your choice of the Duke of Ormond as Lord Lieutenant has given us cause to thank God "that owns your Majesty with his successful directions in your greatest Councils [Counsels]."

"His Grace sat at the helm when the winds blew high and cross and had not the mariners been louder than the winds and deaf to his Councils—nay, which can never be but fatal—divided amongst themselves, he had imbayed that Royal Sovereign in security.

"Happy are your subjects that share in the Queen of Sheba's blessing to stand daily before you, to hear your wisdom and to see your magnificence, whilst we, your subjects, only behold you by reflexion in your government; but, Sir, you have chosen a noble and true glass to represent you amiable to your people.

"The example of Kings and their vicegerents are very influential. It is reported of Alphonsus King of Aragon, he had a wry neck, and that all his courtiers went with their necks awry *a la mode*." You have appointed a person who walks with an upright heart, fears God, and honours the King. You may expect your subjects, Sir, to walk with the same upright hearts.

These considerations, Sir, "are the regiment that make the elixir I am to present you with at this time. It is, Sir, a spirit, a very strong spirit of submissive gratitude and firm loyalty extracted out of all the hearts of your commons in Ireland." It has obtained a *probatum est* through the reigns of your progenitors.

"This removes all phlegm, choler and melancholy from your subjects' hearts, makes them sanguine, turns all the nutriment into blood—not gross blood but fluid, ambitious to be spilt when public dangers requires it, and if public securities demands it. It turns your subjects' estates into gold and lays it at your Majesty's feet."

"Lastly, it is a great provoker of prayer—of fervent prayer—that your Majesty may long and prosperously reign over us, till, laden with honour, in that moment you exchange this life with immortality, you may behold the fruits of your loyal [*sic*] loins, with the undoubted succession of your rich and peaceable kingdoms, inherit your glorious and eminent virtues." *Pp.* 2½. *Endd. S.P. Ireland* 307, 255.

[About 8 Nov.] SPEECH by the BISHOP OF ELPHIN on the same occasion as foregoing.

Similar in substance to the last. Abounding in expressions of loyalty to the King and of gratitude for the appointment of the Duke of Ormond. *P.* 1. *Endd. Ibid.* 256.

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8 Nov. Whitehall. The KING to the LORDS JUSTICES[1] for SIR ROBERT FORTH.

Directing that he have command of the first troop of horse or first company of foot which shall fall vacant in Ireland. *P.* ⅔. *S.P. Dom. Signet Office V. pp.* 85-6.

9 Nov. Whitehall. SAME to SAME for the BISHOP OF MEATH.

Directing that, for repair of his house and for expenses incidental to his translation to the see of Meath from that of Clogher, he have a grant of all the rents due to the King from the manor and farm of Arbrackan [Ardbraccan] (part of the possessions of the Bishop of Meath), of the rectory or parsonage of Trim, and of the sums which fell due in respect of any of the houses, tithes, or glebes belonging to the rectory or parsonage during the vacancy of the Bishopric to 3 August, 1660, from which time the mesne profits were by the King's letters of 3 August given to Dr. Henry Lisly [Leslie], late Bishop of Meath, on his translation from the Bishopric of Down and Connor, and which have not yet been accounted for or paid to the late pretended trustees of Trinity College near Dublin, but are still remaining in the hands of the tenants or occupiers. The Bishop shall have leave to sue for these profits. *P.* 1. *Ibid. pp.* 82-3.

Same. [SECRETARY NICHOLAS] to the LORDS JUSTICES.

I have acquainted the King and Council of your suggested stop to be put to pardons of debts due to the Crown. Your step is approved and *caveats* are to be entered. This is the more happy as pardons in the cases of Francis Worral and Nicholas Gernon, of Dublin, merchants, had already reached the Signet—for fines incurred by export of wool; also of Desminieres and John Freeman. These were stopped at the privy seal. With regard to your proposals of 19 September, for raising the revenue, the King approves your zeal and orders me to say that on the estates of innocent persons restored only the old rents shall be levied, but that on the estates restored by "mere grace and favour," such rents shall be reserved as the Declaration expressed. I do not think the Duke of Ormond will be commissioned Lord Lieutenant till after Christmas, so your power remains the same[1]. *P.* 1. *Entry. S.P. Ireland* 308, *p.* 78*a*.

Same. [SAME] to the LORD CHANCELLOR of IRELAND.

I have yours of the 16th and 18th, with regard to the question of Papist lawyers pleading. I think they should wait, and not press for this liberty without taking the oath of Supremacy, until the Act of Indemnity be passed. But this I do not say by order. I think those who are most loyal and best affected to the Protestant religion will be against taking away the Court of Wards in England. I shall refer you to Sir George Lane, who is much

[1] There is no evidence in the Signet Office Book that these letters were addressed to the Lord Lieutenant immediately after his appointment. Even when the words of address are "Right trusty, &c., Cousin and Counsellor and right trusty &c., Counsellors," there is evidence that the person first addressed was Sir Maurice Eustace.

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your Lordship's servant, for relation of what has been done on hearing the Earl of Meath's peevish petition against you. The Duke of Ormond is now to be consulted on all Irish affairs. I do not think that he will go hence before Candlemas. *P.* ⅔. *S.P. Ireland* 308, *p.* 79.

9 Nov. Whitehall. [Secretary Nicholas] to the Earl of Orrery.

I have yours of the 26th and 29th. I have let the Duke of Ormond know how much he was beholding to Mr. Thomas Preston, who commanded the confederate rebels in Ireland. I shall to-night or to-morrow read the King yours of the 24th last, and know he will approve your zeal, especially in the matter of getting the Excise made perpetual. There is order to pray for the Queen in all the churches. *P.* ½. *Entry. Ibid. p.* 80.

11 Nov. Whitehall. The King to the Lords Justices for Colonel John Booker.

Being Sheriff of Tipperary, Col. Booker seized 1,300 sheep and lambs belonging to Sir Hardress Waller, a person attainted of treason, in July, 1660, and kept them till Sept. 28th, at his own cost, and then sold them. His account for the said sheep and lambs has not yet passed in the Court of Exchequer by reason of a grant whereby we gave £2,000 worth of the goods of Sir Hardress Waller to Sir Richard Ingoldsby. Col. Booker did not know of this grant at the time when he took the sheep. You shall consider and report on this case, and in the meantime all proceedings in the Court of Exchequer or elsewhere against Col. Booker shall be suspended. *P.* 1. *S.P. Dom. Signet Office V. pp.* 131-2.

Same. Same to the Solicitor-General.

Our instructions to the Commissioners for executing our Declaration contained a clause [*here set out*] directing them to see that the persons who had advanced sums for provisions and ammunition for our army before 1649 were satisfied out of the lands set out for them with interest at the rate of six per cent.; and that the lands set out for their satisfaction should be valued at ten years purchase of the rents upon them, deducting the value of the improvements made upon them since they were set out. The remainder you are to set out after the same rate to those who at the instance of the Marquis of Ormond furnished provisions and lent moneys for the use of the army in Ireland, and have not yet been paid. We understand that by this arrangement the debts contracted by the Duke [then Marquis] of Ormond are not fully secured. You shall insert in our instructions a clause for the securing of payment to the Duke of Ormond, Sir Philip Percival, Sir George Lane and others of debts which they incurred at the instance of the said Duke for supply of the army as aforesaid. You shall set out forfeited lands in Dublin and Kildare for their satisfaction; and meantime they shall not be troubled for any debts they contracted for supply of the army. *Pp.* 1½. *Entry. S.P. Ireland* 308, *pp.* 105-6 [*not in Signet Office Book*].

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11 Nov. ENTRY of PETITION.

Morogh, Earl of Inchiquin, asks for the wardship of John Fitzgerald, of Dromonagh [Dromana], which he had before the troubles with the rent abated that is due during the troubles. *Referred* to the Committee for Irish Affairs. *Five lines. S.P. Dom. Entry Books XIII. p.* 8. And similar entry. *Ibid. p.* 10.

12 Nov. SAME.

The Bishop of Cork wants to be secured in possession of four ploughlands. *Referred* to the Lord Lieutenant and the Committee for Irish Affairs. *Five lines. Ibid. p.* 9.

Same. SAME.

Col. Miles Rely asks to be restored to his estate in Ireland. *Referred, &c., as foregoing. Ibid. p.* 9.

13 Nov. SAME.

Thomas Finglas asks to be restored to his lands at Westpailston [Westpalstown] and elsewhere in the co. Dublin and Meath, wherein he is rightly interested. *Referred, &c., as foregoing. Five lines. Ibid. p.* 10.

Same. SAME.

Robert, Mary, Jane, Katherine and Ellen Finglas.

Thomas Wallis, agent to the Earl of Anglesey, is in occupation of the estate of Robert Finglas, to which "the petitioner" has been restored by Royal letters. They pray for a remedy. *Referred, &c., as foregoing. P.* ½. *Ibid.*

13 Nov. Whitehall. The KING to the MASTER of the WARDS for SIR ROBERT STEWART.

Directing that he have the wardship of the body and lands of the children of the late Sir Henry Tent [? Teut for Tuite] of the co. Cork, at a reasonable rent and fine. *P.* ½. *S.P. Dom. Signet Office V. p.* 86. Also entry of same. *S.P. Ireland* 308, *p.* 107.

Same. SAME to the SOLICITOR-GENERAL FOR ENGLAND for LORD MASSEREENE.

Directing that a clause be inserted in the Instructions for executing the Act of Settlement directing that Henry O'Neale, of Killelaugh [Killylough], be restored to his lands in co. Dublin, and that Lord Massereene be reprized for giving up that estate. Lord Massereene shall further be compensated for an estate in the barony of Dunlucy [Dunluce], which is to be restored to Daniel O'Neale, of the King's bedchamber. By giving the estate to O'Neile an encumbrance of much greater value secured to O'Neale and the whole barony of Dunluce is taken off. *P.* ⅔. *Entry (not in Signet Book). S.P. Ireland* 308, *pp.* 109-10.

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14 Nov. Whitehall. The KING to the LORD CHANCELLOR OF IRELAND and COUNCIL for ELLIS, COUNTESS DOWAGER OF ANTRIM.

The Countess' petition has been referred to the Earls of Kildare and Mount Alexander, John, Bishop of Elphin, Sir Audley Mervin, and Thos. Pigott, Esq., Master of the Wards of Ireland, or any three of them. They report that the Court of Claims had adjudged her innocent and restorable to £1,200 a year and to the mills and house of Ballycastle and lands mentioned in the petition, and that she be restored. Order accordingly. *P.* ⅔. *S.P. Dom. Signet Office V. p.* 94.

14 Nov. ENTRY of PETITION.

Sir Henry Talbot asks for compensation for two acres of his land taken by the Earl of Strafford and built upon for the King's use in Dublin. *Referred* to the Lord Lieutenant. *Five lines. S.P. Dom. Entry Books XIII. p.* 11. And similar entry of petition, dated 4 and 13 December. *Ibid. p.* 20.

About same. SAME.

Sir Charles Lloyd asks for an exception of Samuel Avery's claim to the petitioner's lot in the barony of Connello, when the Declaration shall be made into an Act, and for another lot given him in compensation for the deficiency of his land in Slievemargy barony. *Referred* to the Committee for Irish Affairs. *P.* ⅙. *Ibid. p.* 11.

15 Nov. Whitehall. The KING to the MASTER of the WARDS for RICHARD NUGENT.

Directing that he be restored to all the lands which he or his father, Christopher, possessed on 23 Oct., 1641. He has proved his own and his father's innocence before the Court of Claims. The lands are Kilmore, Cowpark, Ashengrove [Ashgrove], Skillinglasse, the house of the wood, Priors wood and the thirty acres near the wood of Kilmore, in co. Dublin; Robinstown, Brackagh [Breckagh], Gedechanstown More, Higginstown, Walterstown, and two fishings in the river Brosna, co. Westmeath; and two messuages in Slane, and one in Ardmolclan [Ardmulghane], co. Meath. Clauses for execution (*see above p.* 179 *note*). *P.* ⅔. *S.P. Dom. Signet Office V. p.* 87.

15 Nov ENTRY of PETITION.

James Fitzgerald, of Kilrush, and Maurice, his son, ask that Kilrush may be put out of charge in the Exchequer. *Referred* to the Committee for Irish Affairs. *P.* ¼. *S.P. Dom. Entry Book XIII. p.* 13.

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About 18 Nov. NOTES on certain changes to be made in the Bills sent from Ireland to England.

Article 47 of the rules and orders annexed to the Act of tonnage and poundage to be altered and made conformable to the bill of Excise in relation to the Commissioners, their number and nomination, vizt. :—

That for the better management as well as lessening the charge of His Majesty's revenue, the Commissioners of the Customs shall not at any time be more than five in number, to be appointed from time to time by the Lord Lieutenant, Lord Deputy, &c. They shall be appointed on account of their special knowledge, shall hold office by commission under the Great Seal during good behaviour, and shall take an oath, which shall be administered by the Lord Chief Baron, for the faithful performance of their duties.

The clause against farming, as it is in the Bill of Excise, should be put into the Act of Tonnage and Poundage, vizt. [*form of clause follows* prohibiting farming for seven years, except as allowed by this Act, and after seven years except at a rent equal to the highest annual rent of those seven years]. *P.* 1. *Endd. in* Nicholas' *hand.* "R. 18 Nov. Additions to be put into some of the bills sent from Ireland. Tonnage and Poundage." *S.P. Ireland* 307, 257.

19 Nov. Whitehall. The KING to the LORDS JUSTICES for ERASMUS SMITH and HENRY PARRIS.

Sending their petition. They complain that, on pretence of being concealed, their estates are set out to Sir John Stephens. If they have been improperly dispossessed they shall forthwith be restored. *P.* ½. *S.P. Dom. Signet Office V. p.* 91.

And entry of same. *P.* ½. *S.P. Ireland* 308, *p.* 108.

Same. SAME for JOSEPH RUTHORNE.

States their complaint [*similar to that of foregoing*]. Their lands have been granted under the seal of the Irish Exchequer to Sir Francis Fowke and Col. Wm. Warden. Direction as in foregoing. *P.* ½. *Ibid.* 108, *pp.* 108-9.

20 Nov. Council Chamber, Dublin. PROCLAMATION by the LORDS JUSTICES and COUNCIL.

As Parliament has been prorogued till 5 Dec. next, and may be prorogued further [and as the act for collection of the customs, excise, or new impost will therefore expire] we declare for the public convenience that the King expects the continuance of the payment of the said customs, &c., according to the rates formerly paid, till 31 December next, unless Parliament at its next meeting give some other order. We expect the people to pay these taxes for payment of the army and maintenance of the public peace. If they are not paid, the army will have to quarter itself on the country, a thing which the King wishes to avoid. *P.* 1½. *Entry, &c.*, as the proclamation No. 2 of July 31, *q.v. S.P. Ireland* 309, *pp.* 33-4.

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PETITION to the KING of JAMES ALLEN, of ST. WOLSTONES, ESQ., showing that:—

Petitioner is rightly intrusted in and restorable to all the estate of his grandfather, John Allen, of St. Wolston's, co. Kildare, other than what has been secured by the late Sir Thomas Allen for the jointure of his relict and other particular uses, whereof he is rightly intrusted also. Petitioner was always loyal, adhered to the peaces of 1646 and 1648, and served under the Duke of Ormond in the siege of Dublin. He entered this claim in the Court of Claims in Dublin, but before it could be heard the Earl of Mount Alexander secured a grant of the estate by pretence of an outlawry had against Thomas and John Allen. If this outlawry could bar petitioner's right, it is rendered immaterial by the concessions contained in the peace of 1648; but the truth is that, long before the rebellion in Ireland, about 1624, all the said estate was conveyed to feoffees in trust, among other uses to the use of Sir Thomas Allen and the heirs male of his body with other remainders over, and, among other remainders, to Nicholas Allen, petitioner's father, and the heirs male of his body. Nicholas died long before the war, leaving petitioner of tender age. As the other remainders have determined, petitioner claims the estate.

He prays that the grant may be stopped and evacuated, and that he be restored. *P.* ¾. *Underwritten with*—

Order, dated 20 Nov., referring the petition to the Commissioners for claims. If petitioner can prove to them that he and those through whom he claims be innocent, he shall be restored. *P.* ½. *S.P. Ireland* 307, 258.

20 Nov. Whitehall. THE KING to the LORDS JUSTICES for THOMAS DANCER.

Directing that in recognition of his services, and especially of his bravery at Waterford, he be made a baronet of Ireland. *P.* ½. *Entry* [*not in Signet Office Book*]. *Add.* to the Lords Justices. *S.P. Ireland* 308, *pp.* 109.

Same. SAME to the LORD CHANCELLOR OF IRELAND and COUNCIL for COLONEL CARY DILLON.

Repeating the direction that he have the command of the first troop of horse that shall fall vacant in Ireland. *P.* ¼. *S.P. Dom. Signet Office V. p.* 95.

COPY of PETITION of THOS. KILEGRUE or KILLIGREW to the KING, showing that:—

The Excise in Ireland, being likely to be continued to your Majesty as part of the revenue, is at present managed by officers placed there by the former governors and therefore to be suspected not faithful to the King.

Petitioner prays for the right to appoint officers of the Excise in Munster, for whom he will be responsible. *P.* ½ *S.P. Ireland* 307, 259.

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22 Nov. Whitehall. The KING to [the LORDS JUSTICES] for THOMAS HOWARD, THOMAS KILLIGREW and OTHERS.

After our grants to our Lords Justices of £10,000 out of the fines and forfeited bonds for exporting wool out of Ireland, we ordered that £3,000 should be paid (out of the same fund) to Thos. Howard and Thos. Killigrew, £2,000 (by our letters of 24 Sept.) to Col. Charles Wheeler, £6,000 (by our letters of 4 Oct.) to Edmund Proger, Esq.), and £3,337 18*s*. (by same of 14 Oct.) to Sir Richard [? Henry] Tichborne. In the last letter a clause was inserted by mistake giving that payment preference before the others. The sums shall be satisfied in the order in which they were granted. *P.* ½. *S.P. Dom. Signet Office V. p.* 99.

22 Nov. Council Chamber, Dublin. PROCLAMATION of the LORDS JUSTICES and COUNCIL.

On 15 August last we issued a proclamation requiring the bring[ing] in[to] the receipt of His Majesty's Exchequer all His Majesty's revenues. We find that the new quit rents cannot be in so soon, and that the extreats of those rents for most of the counties are not yet returned; and, as the necessities of the King's army are urgent, we are obliged to decline that rule for the present. The Auditor-General shall certify to the Vice-Treasurer and Receiver-General such sums of money as are due and yet unpaid of the said new quit-rents; and the Commissioners of the Customs, Excise, and new impost, shall similarly certify him what moneys for inland Excise are due and unpaid. Thereupon the Receiver-General or his Deputy shall have receipts prepared and signed by the Receiver-General's deputy or the Clerk of the Pells or his deputy and by one of the Chamberlains of the Court of Exchequer for the said unpaid sums, and these receipts shall be used to pay off the warrants issued by us, the Lords Justices, for payment of the military list and for payment of the warrants issued by us for payment of the ⅔ part of the pay of the lately disbanded soldiers, and for the satisfaction of insolvent assignments formerly made on the new quit-rents and inland Excise. No further assignment, however, on the new quit rents-shall be taken as insolvent, unless the same be certified to be insolvent by the Receiver of the quit-rents of the county in which the land lies for which such former assignment was made, and by two of His Majesty's Justices of the Peace for the same county, under their hands and seals. No former assignment made on the inland Excise shall be deemed to be insolvent unless the same be certified to be insolvent by the farmer or collector of the Excise on whom the assignment was made, and by two Justices, &c. [as before]. These said certificates of insolvent assignments, both of the new quit-rents and inland Excise, are to be delivered to the Receiver-General's Deputy and kept by him. Except these revenues, all the sums due to the King shall be paid in to the Exchequer according to our former Proclamation. The fees payable to the officers of the receipt and mentioned in the instructions of February to the Commissioners and collectors appointed

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for the charging and collecting these quit-rents, shall be paid by the persons who are to pay the quit-rents to the persons who deliver them the acquittances signed by the officers of the receipt. These fees are as follows:—

For every rent under 20*s.* half-yearly, 2*d.*

For every such rent between 20*s.* and 40*s.*, 4*d.*

For every such rent between 40*s.* and 60*s.*, 8*d.*

For every such rent of 60*s.* and upwards, 12*d.*

[To be paid to ?] Daniel Bellingham, Deputy-Receiver-General.

To the Clerk of the Pells, the same fee as before mentioned —[*vizt.* to] John Sergeant, Deputy Clerk of the Pells.

To both Chamberlains, to be equally divided between them, the like for rent as before mentioned [*vizt.* to] Robert Kennedy and Roger Moore.

The auditor's fee for a debt for each half-year, 3*d.*

For entry of acquittances, 3*d.* [*vizt.* to] John Boulder, Deputy-Auditor.

Pp. 3½. *Overwritten, &c.*, as Proclamation No. 2 of July 31, 1661, *q.v.* *S.P. Ireland pp.* 35-38.

Latest and General date 23 Nov.

DOCUMENTS RELATING TO THE CASE OF EVAN VAUGHAN, Postmaster of Ireland

Copy of Petition of Vaughan to the King, showing that:—

Petitioner was appointed postmaster at Dublin by King Charles I. in 1638. He discharged his duties faithfully. In 1642 he went to Oxford by command on the King's service and got a further grant of the office.

In 1646 petititioner was sent by the Duke of Ormond to Newcastle, and performed that journey in the King's service at great danger.

For his loyalty he was imprisoned and suffered much. He lost his post and has never been able to regain it. It has been given to a person who, he contends, has not merits or fidelity.

Petitioner has spent £2,400 in settling that postage. He has not hitherto received the quarter part of that money; and his arrears of salary and out of pocket expenses come to £3,600. He is in debt and has been of service to the King. He prays for a grant of the employment for a certain term of years or at least for payment of the expenses, &c., above mentioned. *P.* ¾. *Written and signed by* Robert Mason. *Underwritten with—*

Order, dated 23 Nov., Whitehall, referring the petition to the Duke of Ormond. *Endd.* *S.P. Ireland* 307, 260.

Abstract of the desires and proposals of Vaughan.

States the facts stated in foregoing, and adds that Vaughan settled postages from Dublin to other parts of Ireland, and that he had an undertaking that he should have the post for 21 years. *P.* ½. *Signed by* Vaughan *and in same hand as foregoing.* *Ibid.* 261.

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Certificate by the Marquis of Ormond as Lord Lieutenant of Ireland.

Certifying the loyalty of Vaughan to the King. He has always been prompt and faithful in delivering all packets given into his charge. *P.* ¾. Dated 15 June, 1647, *with signature of* Ormond, and with seal bearing the arms of the Ormond family with the legend "*Sigillum Jacobi Marchionis de Ormond Locumtenentis Hiberniæ.*" *S.P. Ireland* 307, 262.

General Monck [afterwards Duke of Albermarle] to the Committee of Council for the Post Office.

Certifies Vaughan's painfulness and honesty. He has arranged posts in Ireland has been to Scotland in the public service. *P.* ½. *Signed by* General Monck. Dated St. James, 10 April, 1660. *Endd. Ibid.* 262.

This concludes the documents relating to this case.

23 Nov. Whitehall. [Secretary Nicholas] to the Lords Justices.

I have yours of the 29th with the Bills. All care will be used to send back both these and those formerly sent, the Council usually meeting every day for that purpose. The enclosed is lately sent here from St. Malo concerning the great abuses committed by the export of wools. You shall examine what discharges the masters of ships can produce for their unloading at Dover. Either they must have none to show, or those they have were obtained by fraud or collusion. In either case public example should be made of these persons. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 80.

Same. The King to the Lords Justices.

The Duke of Ormond has been appointed Lord Lieutenant of Ireland, and is soon going over. Meantime you shall pass no pardons, offices, lands, or church-licences, and shall fill up the command of no company; but shall merely conduct the civil administration and see to the defence of Ireland. *P.* ½. *Entry* [*not in Signet Book*]. *Ibid. p.* 110.

26 Nov. Whitehall. Same to Same concerning the Irish Parliament.

Directing that it be prorogued till the Monday after Twelfth Day next. The bills which had been sent from Ireland are not yet ready to be returned. *P.* ½. *S.P. Dom. Signet Office V. p.* 91.

Same. Same for Col. Arthur Gore, of Newton, co. Mayo.

Directing that he be made a baronet and be exempt from the usual fees and services. *P.* ½. *Ibid. p.* 92.

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27 Nov. ENTRY of PETITION.

James Allen asks for restoration. The Commissioners of Claims to consider his case and restore him if they find him and his ancestors were innocent persons. *P.* ¼. *S.P. Dom. Entry Books XIII. p.* 19.

28 Nov. The KING to the LORDS JUSTICES for SIR JAMES CUTLER, SIR EDWARD HEATH, and others.

Sir John Cutler, Sir Edward Heath, and others have petitioned showing their great expense in buying land round Enniscorthy, in setting up iron works there, in bringing over many hundred English workmen and their families, "so that now those parts which were heretofore the nursery and refuge of rebels and of late years were wholly waste and unpeopled," are inhabited, and those barren lands peopled, and much profit derived by the customs by the iron, &c., used or found there; and that Dudley Colclough, who is the local landlord, has obtained an order for restoration as an innocent Papist and prevents them from cutting timber to their great damage. You shall protect the petitioners against all who seek to prevent them from cutting the timber necessary for their works until the case is decided by our Commissioners. *P.* ⅔. *S.P. Dom. Signet Office V. p.* 95.

29 Nov. Dublin. The EARL OF ORRERY to SECRETARY NICHOLAS.

I am very glad the Duke of Ormond is appointed Lord Lieutenant. We have celebrated the event here with public demonstrations of joy, and I long for his arrival. I shall be glad to be relieved of my post; and to be relieved by the Duke of Ormond will be a double contentment. I shall retire to Munster.

We are now waiting for our great bill of settlement and the other bills to come over and I think they will be made law soon after they arrive. I shall try to push on the matter of your £2,000. *Pp.* 1½. (*Hol.*). *Add. Endd. in* Nicholas' *hand. S.P. Ireland* 307, 264.

29 Nov. ENTRY of PETITION.

Cahir O'Calighane prays for restoration to his estate under the Act of Settlement. *Referred* to the Duke of Ormond and Commissioner[s] for Irish affairs. *P.* ⅛. *S.P. Dom. Entry Books XIII. p.* 19.

30 Nov. ENTRY of WARRANT to the SOLICITOR-GENERAL for the EARL OF CLANCARTY and VISCOUNT MUSKERRY, his son.

Directing that a clause be inserted in the intended act of Settlement directing that the Earl and his son be restored to all their honours and lands as enjoyed by them or either of them on 22 Oct., 1641. *P.* ¾. *Entry*; [*not in Signet Book*]. *S.P. Ireland* 308, *pp.* 111-112.

(1) *See* below *p.* 470, from which it appears that the order was made on 20 November.

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30 Nov. Whitehall. The KING to the LORDS JUSTICES for the EARL OF CARLINGFORD.

You recently granted £800 a year out of the Irish Treasury to the Earl. You granted that order for the reason that a previous order for his restoration to his estate could not be made good to him. He now complains that he has not had the benefit of either order. You shall use all diligence for restoring him to his estate, and in the meantime shall pay him the sum above mentioned. *P.* ½. *S.P. Dom. Signet Office V. p.* 93.

Same. SAME to SAME for SAME.

Directing the Lords Justices not to stop the *custodiums* granted to the Earl in compensation for part of his estate which had been assigned to, and is now in the possession of, the Baron of Collooney. *Non obstante* clause. *P.* ½. *Ibid. p.* 93.
Also draft of same. *P.* ⅔. *Endd. S.P. Ireland* 307, 265.

Nov. DRAFT of FURTHER LETTER of SAME to SAME for SAME [Earl of Carlingford].

Directing that the patents making Viscount Taaffe, Earl of Carlingford, shall bear date ——— [*date left blank*] in order that the delay which has taken place in passing them may not be prejudicial to him. *P.* ⅔. *Ibid.* 266.

Same. SAME.

Having granted the forfeited lands of Sir Hardress Waller to Lord Taaffe, now Earl of Carlingford, we find that Carrigogennill [Carrickogonnell], and some other parts thereof have been leased to the Bishop of Cork by directions procured from us by mistake. You shall stop the rents of these lands in the tenants' hands pending our further order. *P.* ½. *Endd. Ibid.* 267.

[About same.] SAME.

Directing that the estate granted to the Earl of Carlingford be freed and discharged of the payment of several yearly quit rents to the King and his heirs with which they are charged by the Acts for executing the Declaration and "for explaining some doubts, &c." The King's further pleasure in this matter will shortly be made known. *P.* ⅔. *Endd. Ibid.* 268.

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2 Dec. Whitehall. The KING to the LORDS JUSTICES for the EARL OF ORRERY, WENTWORTH, EARL OF ROSCOMMON, and SIR WM. KING.

Directing that they be satisfied for the arrears for service before 5 June, 1649, out of the forfeited houses and lands in Limerick city. *P.* ¼. *S.P. Dom. Signet Office V. p.* 96.

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4 Dec. Whitehall. MARGARET, LADY TALBOT to MR. WILLIAMS, at the office of SECRETARY NICHOLAS.

What has Sir Edward Nicholas done in the matter of my petition? "I pray you when you draw up my reference or order, put in as many strong words for my advantage as you can." Let me know whether you have a command or reference, that I may wait upon you when you draw it up. Please put in that I may have satisfaction according the report of the Attorney and Solicitor-General. *P.* ¾. (*Hol.*). *Add. Endd. S.P. Ireland* 307, 269.

7 Dec. DECLARATION by the LORDS and COMMONS in PARLIAMENT.

Similar to that of July 31, No. 2 [*p.* 388]. Prolongs the collection of the customs, excise, and new impost to 25 March, 1662, with same proviso as to export of horses, &c. *P.* 1. *Entry, &c.*, as the order of July 31, quoted above. *S.P. Ireland* 309, *p.* 43.

9 Dec. The KING to the LORD CHANCELLOR OF IRELAND and COUNCIL for ARTHUR BULKLEY, of Dundalk.

Sends Bulkley's petition setting forth certain injuries which he has received from Col. Marcus Trevor, and directs them to do him justice. *P.* ⅛. *S.P. Dom. Signet Office V. p.* 97.
And entry of same. *S.P. Ireland* 308, *p.* 101.

10 Dec. Whitehall. SAME for PATRICK FRENCH.

French shows by his petition that Lord Trimleston was transplanted to, and he, the petitioner, deprived of, the castle and five quarters of land of Monevah [Monivea], in the barony of Tiaquin, co. Galway. He got other lands in Connaught belonging to the "Earl" of Clanrickard, but they were not answerable to those which he lost. He and his father and mother were loyal. The Commissioners appointed, or to be appointed, to adjudge qualifications shall examine his qualification and, if they find him innocent, restore him to his estate or give it him in reprisal for the Earl of Clanrickard's lands which he now possesses. Lord Trimleston is declared restorable by the Declaration, so that the lands of Monivea will be free to be disposed to French without prejudice to others. *P.* ½. *S.P. Dom. Signet Office V. p.* 96.

10 Dec. Dublin. PROCLAMATION by the LORDS JUSTICES.

Proroging Parliament to 21 Jan., 1662. *P.* ⅜. *Overwritten, &c.*, as Proclamation No. 2 of July 21, 1661. *S.P. Ireland* 309, *p.* 39.

Same. SAME.

On 6 Dec., 1661, we received a letter from Thos. Ash, Alexander Jepson, Capt. Henry Morton and Stafford Lightbourn, four Justices of the Peace for co. Meath, enclosing a letter by one James Dermott, directed to James Feilam, a Popish priest at Kildalky, co. Meath. Dermott was to have been apprehended, but escaped into

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a bog and, in escaping let fall his mass book in which the letter was found. The letter shows that a plot of some kind is on foot. Priests are coming from abroad, and the people are compelled to support them as well as the ministers of the word of God. A Committee from both Houses of Parliament to whom we had communicated the letter, came to us on 7 Dec., at 8 p.m., we being then in council, and offered certain suggestions for the repression of these designs. We order that all the persons who had been transplanted to Connaught and who, without being specially restored by the Declaration of Nov., 1660, to their estates, or being servants to a member of either House of Parliament, or being named for restoration, have returned back out of Connaught to their said estates, go back to Connaught before 31 December and depart not thence without special licence from us. The magistrates shall apprehend those who disobey this order and commit them to the common jail. We know certain things about this plot and order that the army in the towns and cities be kept in a posture ready for defence. *Pp.* 3, *&c., as foregoing. S.P. Ireland* 309, *pp.* 40-43.

11 Dec. PETITION to the KING of THEOBALD VERDON, showing that:—

Petitioner in 1649, and afterwards, has been Deputy Commissary-General of the victuals of the King's army in Ireland, then under the Marquis of Ormond. He served till the power of the usurper became prevalent, but took no office under him. He adhered to the peace of 1648. His estate is not in the hands of adventurers or soldiers. He took no lands in Connaught and prays for restoration. *P.* 1. *Endd. with—*

Order, dated 11 Dec., referring this petition to the Lord Chancellor of Ireland, *and—*

REPORT of the LORD CHANCELLOR on the foregoing PETITION.

Sets out a certificate dated 14 Dec., 1660, *and signed by the* Marquis of Ormond certifying that Theobald Vernon, of Clonmore, co. Louth, was loyal, &c., as in petition above; another dated 7 Nov., 1660, *signed by the* Earl of Inchiquin testifying to substantially the same facts; and another dated 6 Nov., *signed by the* Earl of Westmeath, Lords Taaffe and Dillon, Sir Robert Talbot, Nicholas Plunkett, and Garrat Moore, testifying that petitioner was Deputy Commissary-General of the victuals, &c., for six years from 1649, and certifying the other facts stated in the petition. Recommends that the petition be granted. *Pp.* 1½. *Signed. In all, pp.* 3. *Endd. S.P. Ireland* 307, 270.

12 Dec. Whitehall. The KING to the LORDS JUSTICES on behalf of HENRY O'NEALE.

As O'Neale cannot be restored at once to his lands owing to the fact that Lord Massereene has to be reprised for them and as this

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will take some time, he shall at once have £400 out of the rents from the *custodium* or reprisal lands set aside *de bene esse* for satisfaction of adventurers and soldiers. *P.* 1. *S.P. Dom. Signet Office V. p.* 104; *and entry of same. S.P. Ireland* 308, *p.* 112.

14 Dec. Whitehall. The KING to the LORDS JUSTICES for HENRY, EARL OF THOMOND.

In order that the Earl may be able to settle his estate in Ireland according to an agreement made between him and Charles, Duke of Richmond, on the marriage of his son Henry, Lord O'Brien, with the Duke's sister, Lady Katherine Stewart, we declare that he shall not be prejudiced in any of his honours, &c., hereditaments, chieferies or royalties, &c., by the finding of our title to the co. Clare in the time of Charles I. We grant all these rights, honours, hereditaments, &c., to the Earl. You shall see that there is included in the grant a clause giving to the Earl all the rights in law or equity which Edward, Marquis of Worcester, or Lady Margaret, Marchioness of Worcester, had to any of the premises. *P.* ⅜. *Entry not in Signet Book. Ibid. p.* 113.

16 Dec. ENTRY of PETITION.

The inhabitants of Youghal desire to be restored to their liberties. *Referred* to the Duke of Ormond and Committee [of the Privy Council] for Irish Affairs. *P.* ½. *S.P. Dom. Entry Books XIII. p.* 22.

Same. SAME.

Sir Robert Stuart asks that the debt of £2,000 due to him be inserted into the bill for raising £15,000 for the Irish Commissioners in Ireland. *Referred* to the Committee for Irish Affairs. *P.* ⅛. *Ibid. p.* 26.

16 Dec. NOTE by SECRETARY NICHOLAS on the PETITION of KILKENNY and [the] Irish [?].

It is referred to the Commissioners for the execution of the Act of Settlement when they arrive in Ireland, to whom the petitioners are to deliver their claims. *P.* ⅛. *A fragment. S.P. Ireland* 307, 271.

17 Dec. Whitehall. The KING to the LORDS JUSTICES for JAMES AYLMER and JOAN, his wife, onl y daughter of JOHN KING, of Clontarf.

Directing that they be permitted to take the legal steps for reversing the "outlagary" filed against George King in the time of the war. He died in the King's service in the siege of Waterford and was outlawed in his absence, though persons of his persuasion were at that time not allowed to come to Dublin or to appear in the King's Courts. *P.* ⅛. *S.P. Dom. Signet Office V. p.* 98.

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18 Dec. Whitehall. The KING to the LORDS JUSTICES for FRANCIS McEVOY, of Ballineskeigh [Ballinaskeigh], co. Meath.

Directing that he be allowed to sue out in legal form a reversal of the "outlagary" filed against him, &c. *Similar to foregoing. P.* ½. *S.P. Dom. Signet Office V. p.* 98.

19 Dec. The EARL OF ORRERY to SECRETARY NICHOLAS.

The Earl of Mountrath died at eleven last night of a small pox at 11 p.m., "a great blow to this poor kingdom." We have despatched Mr. Keating to the Lord Lieutenant. Pray send him back as soon as possible with a signification of the King's pleasure. *P.* 1. (*Hol.*). *Add. Endd. in* Nicholas' *hand. S.P. Ireland* 307, 272.

Same. The LORD CHANCELLOR OF IRELAND to the SAME.

By the Earl of Mountrath's death the Commission to the Lords Justices for government of the country is determined. There is also much dispute as to whether or not the Parliament is determined. If it be so, the King's affairs in Ireland will be greatly retarded. The army could not be paid and would be destroyed, for [there is] no way to raise money for the army but by Parliament.

In answer to the letter which I wrote some months since, the King approved the idea of renewing the Commission to the Lords Justices, and that it should be "to them or any two of them" to act. But when the letters came they durst not, nor did they, in Mountrath's sickness, though they foresaw his death, alter the first commission, lest it might determine the Parliament. They did what lay in them to prevent this by proroguing the Parliament in his sickness when he was able to act with them to the 23rd January, by which time the Lord Lieutenant could be here or any other fitting person, in his absence, to hold the Parliament. It was conceived the Parliament might be continued, and to that end they have prepared drafts of two Commissions which they have sent by this gentleman, Mr. John Keating, my nephew, to my Lord Lieutenant, to pass the Great Seal here or there. I hope so important a matter will be quickly arranged.

P.S.—We have not received a letter from England for many weeks. *P.* 1. (*Hol.*). *Add. Endd. in* Nicholas' *hand. Ibid.* 273.

[19 Dec.] PETITIONS to the KING of WENTWORTH, EARL OF KILDARE, showing that:—

The customs of the ports of Strangford and Ardglass were granted by Henry VIII., to Gerald, Earl of Kildare, for his services to the Crown during the 25 years of his Deputyship.

Petitioner's ancestors enjoyed the profits of this grant till the time of the Earl of Strafford, who, alleging them to be too great a royalty for any subject, seized them for the Crown without giving any compensation. The profits thereof have since been received into the King's Exchequer.

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He prays for a fresh grant, or for compensation, and that in the meantime nothing may pass by any bill now before Parliament prejudicial to his interest. *P.* ¾. *Underwritten with*—

Order, dated December 19, referring the petition to the Committee of the Privy Council for Irish affairs, *and endd. with*—

REPORT of the DUKE OF ORMOND, the EARL OF MANCHESTER and ANGLESEY, SIR GEO. CARTERET and SIR WM. MORICE, on the foregoing PETITION.

The Lords Justices should be instructed to consider the Earl of Kildare's claim with the assistance of His Majesty's Council, and find whether the Earl accepted any recompense instead of the rights claimed. The Solicitor-General should be required to insert in the Bill of Customs a clause saving any of the Earl's rights which may appear. *P.* ½. *Signed. The whole, pp.* 1½. *S.P. Ireland* 307, 274.

Also entry of petition. *S.P. Dom. Entry Books XIII. p.* 27.

20 Dec. Whitehall. The KING to the LORDS JUSTICES for COL. OLIVER JONES.

In reward for his help towards the restoration, Col. Jones shall have the command of one of the corporals of the field, formerly enjoyed by Captain Jacob Lovell. *P.* ¼. *S.P. Dom. Signet Office V. p.* 103.

About same. SAME for SAME.

He helped much towards the King's restoration. He shall be given command of one of the four foot companies whose commands are at present respited. *P.* ½, *with fragment of letter to* Maurice Roche, an Irish merchant at Bordeaux. *In all, p.* ¾. *S.P. Ireland* 307, 275.

Same. SAME for THOMAS TYRRELL, of Barnan, King's Co.

Tyrrell suffered much by the divisions raised in Ireland by the Nuntio and his party, and was imprisoned by the Nuntio for adhereing to the peace of 1646. We have, after consultation with the Irish Committee of our Council, thought well to restore him as fully as the Earl of Clancarty, Richard Bellings and others "who suffered in the same kind for us by the Nuntio's party" are restored. Grant accordingly. The taking of lands in Connaught to be no prejudice to Tyrrell. *P.* ⅝. *S.P. Dom. Signet Office V. pp.* 113-4.

21 Dec. NOTES [in NICHOLAS' hand] of a case in which DAME DORCAS, ——— and the EARL OF MEATH are concerned.

A statement is made showing the amount due to Dame Dorcas, for her legacy, for interest thereon for 18 years, for one-third part

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of eleven years' profits of £160, *i.e.* £580, for interest on the said £580, for one-fifth part of a sum of £1,358, which represents the overplus of the goods [?] and for interest on the fifth part. The total claim is £2,821 13*s.* 9*d.* *Other details.*

The Earl of Meath denies that he entered into any such bond as is alleged. [He says] that his father duly administered and that on the whole the estate is indebted to him ; and that even if he had not truly administered, yet the Earl is not now liable. He has all the interest of the elder sister. He has bonds for £3,400, which he is ready to deliver up. *P.* 1. *Incomplete. S.P. Ireland* 307, 276.

21 Dec. Whitehall. The KING to the [LORD CHANCELLOR of IRELAND] and COUNCIL concerning the coinage in Ireland.

Directing that the proclamation of 7 September last which declared that all the coins bearing a cross and harp and the superscription "The Commonwealth of England" should cease to be legal tender after 30 Nov. last shall not be taken to apply to Ireland. *P.* ¼. *S.P. Dom. Signet Office V. p.* 98.

23 Dec. Whitehall. DRAFT of the SAME for GEORGE HAMILTON.

Granting to him, in recognition of his loyalty, all the forfeitures and penalties which shall or may accrue unto the King by reason of the Acts against ploughing by the tails of horses and burning corn in the straw in Ireland. *P.* ⅜. *S.P. Ireland* 307, 277.

24 Dec. Whitehall. The KING to the [LORD CHANCELLOR of IRELAND] and COUNCIL for THOMAS BATTY, Receiver of the public revenue in co. Tipperary.

Directing that he be granted, as he asks, a respite for a certain sum owing by him in respect of his post. *P.* ¼. *S.P. Dom. Signet Office V. p.* 99.

And entry of same. *P.* ¼. *S.P. Ireland* 308, *p.* 113.

26 Dec. Whitehall. SAME for LORD BERKELEY.

By the death of the Marquis of Clanricarde and by that of Henry Viscount Wilmot and Earl of Rochester and by the surrender of Thomas, Viscount Dillon, and of Charles, Earl of Mountrath, the Presidentship, governorship, &c., of Connaught and of various towns, counties, forts, &c., is fallen vacant. You shall pass a grant to John, Lord Berkeley, Baron of Stratton, of the Presidentship of Connaught, the governorship of the town of Galway, of the house

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or castle, constable, and ward of Athlone, the liberties of the Brawny, co. Westmeath, of the lands, &c., and customs belonging to the manor of Athlone and the abbeys of St. Peter and St. Benedict in Roscommon and Westmeath with all the other lands, provisions, &c., held by Ulick or Richard, Earl or Marquis of Clanricarde, Viscount Wilmot of Athlone, or any other President of Connaught. *Full and distinct clauses follow*, granting him the governorship of Galway and the fullest privileges enjoyed by previous Presidents of Connaught, including the right to appoint a Deputy. *Pp.* 2½. *S.P. Dom. Signet Office V. pp.* 100, 102.

Also a draft of same. *Pp.* 2, originally drafted for the Earl of Mountrath but changed, subsequent to his death, so as to make it apply to Lord Berkeley. *Endd. S.P. Ireland* 307, 278.

28 Dec. ——— to the KING.

Apparently the letter of a madman. Incoherent. *Pp.* 6. *Ibid.* 279.

30 Dec. Whitehall. The KING to the [MASTER of the WARDS] for FRANCIS GODOLPHIN.

Directing that he have the wardship of Robert, son and heir of the late William Adare, of Ballymanagh [Ballymena?] co. Antrim. *P.* ¼. *S.P. Dom. Signet Office V. p.* 102.

About same. DRAFT of the KING to the LORDS JUSTICES for the SAME.

Directing that he be given by patent the office "of writing and preparing of all invoices and outvoices of ships and all bills of entry, bills of view, bills of store and permits both inwards and outwards, and for writing and preparing all cocquets for ships outward bound and let passes and port cocquets" in the port of Dublin. This employment has not yet been exercised by an officer holding authority from the King, but it shall be so in the future, and the officer shall be called Clerk of the Entries of the Port of Dublin. Godophin shall take the usual fees, except they be too great, in which case the Lord Lieutenant shall have power to moderate them. *Pp.* 1½. *Endd. S.P. Ireland* 307, 280.

ADDENDA 1661.

COPY of PETITION of HARMAN HENRICKSON, a poor and maimed mariner, to the KING, showing that:—

He served the late King in all his naval campaigns, and has been reduced to poverty and weakened by wounds. The post of gunner in the fort at Wexford is vacant, and petitioner is a "long practitioner" in that art. He prays for a grant of this post. *P.* 1. *Endd. S.P. Ireland* 307, 281.

1661.
Addenda.

COPY of PETITION to the KING of many of the most distressed subjects in Ireland, showing that:—

They have suffered long and grievously abroad and at home for their loyalty to the Royal cause. Their extremities are now pressing and, with all hope of relief in Ireland taken away, they throw themselves on the Royal compassion and justice.

They were advised by the King not to present their grievances at the last sitting of the Parliament, but at the next. They pray that they may be heard by the Parliament of England, which is the only impartial judicature to which they can apply. *P.* ½. *Endd. S.P. Ireland* 307, 282.

PETITION of DONOUGH, EARL OF CLANCARTY, to the KING, showing that:—

The King, by his general Declaration of 29 November, 1660, and by several express orders, required that petitioner should be settled in his estate. Petitioner has accordingly been restored. He prays that the proviso annexed may be inserted in the present intended Act for the settlement of the kingdom, in favour of himself and his son and heir. *P.* ⅔. *Followed by*—

Draft Proviso in favour of the above.

Donough, Earl of Clancarty, and his son Charles, Viscount Muskerry, shall be restored in blood and honour and shall and may derive their pedigree and descent from their ancestors, lineal and collateral. They shall be restored to all titles, honours, dignities, &c., which they enjoyed on 22 October, 1641, at the usual rents, &c., with clause saving the rights of all persons or bodies politic or corporate existing at the time of the passing of the Act, and their heirs and successors. *Pp.* 1¼. *Endd. Ibid.* 283.

COPY of PETITION to the KING of the PRIMATE, ARCHBISHOPS [*sic*], BISHOPS and OTHERS of the CLERGY in IRELAND, showing that:—

Whereas Charles I. granted the reversions of all impropriations which where in the Crown to the several incumbents and ministers, who discharged the cures for the greater advancement of religion and encouragement of the ministry, and whereas the agents from Ireland in their addresses to the King made it their suit that all such appropriate rectories or vicarages as were in the Crown and were out of lease or were forfeited to the Crown, and the reversions of such as are yet in lease, might he granted to the Church, for the better support of the ministry, and whereas divers manors, &c., in Ireland, held of the Archbishops and Bishops there, are by the attainder of several persons convicted of rebellion vested in the Crown:—

1661.
Addenda.

They pray that all such appropriations as are vested in the Crown by expiration of leases or attainder, and the reversion of all such as are in lease, may be granted to the present incumbents and curates of the churches. *P.* 1. *S.P. Ireland* 307, 284.

PETITION to the KING of JOHN [BRAMHALL], ARCHBISHOP OF ARMAGH to the LORDS JUSTICES and COUNCIL, showing that:—

King James, in the plantation of the six escheated counties of Ulster, ordered that all the impropriate tithes in his hands should be paid to the incumbents without any reservation of rent for the same; and also that all lands which paid any "rents or refections" to the Church should be deemed ecclesiastical lands and should be annexed to the respective sees and churches to which they had paid the said rents or refections. This order he caused to be inserted into the great office as a rule of plantation which was always held inviolable in Ireland.

Charles I., in pursuance of his father's policy, ordered the church to be endowed with several glebes, and also required that all impropriations which were in the hands of the Crown, as the several leases thereof expired, should be disappropriated and restored to the respective vicars, and settled upon incumbents with reservation of the rents which were paid into the Exchequer for the said impropriations. This was done and the leases, when expired or nearly expired, were settled upon the Church under the Great Seal of Ireland. His present Majesty, by his graces and condescensions to the Commissioners of the Convention, assented to the passing of all impropriations forfeited in this late rebellion, to the respective incumbents, at the rent reserved upon the several impropriators and afterward by his Royal letters, dated 20 Nov., 1660, granted all impropriations and all forfeited lands held from the Church to the respective Churches from which they were held. For these impropriations the Church is willing to pay the rents reserved upon the former impropriators besides an increase of the 20th parts, first-fruits and ecclesiastical subsidies—being much greater than temporal; and, for the said forfeited lands, to pay as much rent as the adventurers or soldiers; so as the Crown shall not lose anything by His Majesty's bounty.

In spite of the readiness of the Church to do what is right in this matter, letters come over daily for the passing away of impropriations either to strangers who formerly pretended no right to them, or to natives not found to be innocent Papists (to whose freeholds or appropriate tithes the Church pretendeth no right) but such as have been known delinquents.

The Archbishop prays that these letters be respited till the Church be first heard and the King's further pleasure be known. *P.* 1. *Endd. Ibid.* 285.

COPY of PETITION to the KING of DAVID KENNEDY, showing that:—

Petitioner has served in the King's armies since he was fourteen years old; and has suffered long imprisonment for his loyalty. On his restoration the King recommended petitioner, who was supported

1661.
Addenda.

by the Earl of Mount Alexander, to the Lord Lieutenant of Ireland for relief. In hope of such relief, he has ever since remained a soldier in the King's guard of horse, though in a mean condition, and has got no help. He will, unless he is helped, be compelled to leave the army and go into exile with his wife and small children.

He prays for present relief out of the Irish Exchequer and for a commissioned place in the Irish "army of horse" below the rank of captain. *P.* ⅔. *Endd. S.P. Ireland* 307, 286.

PETITION to the KING of LODOWICK JACKSON, showing that:—

On 26 Feb., 1661, the King by patents granted the office of customer, collector and receiver of tonnage and poundage in Youghal and Dungarvan to Nicholas Stout. Stout, for various misdemeanours, is now suspended and the post given to one Alexander Gray, though petitioner had innocently purchased it of Stout.

He prays for a grant of the office after Gray's displacing or discontinuance. *P.* ½. *Endd. Ibid.* 287.

Fragmentary list of the Lords Lieutenants, Lords Deputies and Lords Justices of Ireland from Sir Edward Poynings (1495) to the Duke of Ormond (1661). *Pp.* 4. *Ibid.* 288.

DRAFT of the KING to the LORDS JUSTICES concerning a train of artillery for Ireland.

We send you an establishment for a train of artillery in Ireland sent us by Viscount Montgomery. Although it shows a much lower figure than that shewn by previous establishments, we refer it to you for consideration and further reduction. *P.* ¾. *Endd. in* Nicholas' *hand. Ibid.* 289.

SAME for LIEUT.-COL. BAGLEY.

Sending Bagley's petition and asking that he be treated with favour. *P.* ½. *Ibid.* 290.

COPY of PETITION to the KING of THEOBALD, EARL OF CARLINGFORD, MOROGH, EARL OF INCHIQUIN and JOHN, LORD KINGSTON.

The Lord Lieutenant and Council of Ireland have taken into their consideration the value of chimney money in Ireland, and report it to be worth £20,000 a year. The petitioners, who do not want to make a private profit, offer £24,000 a year for it for ten years, and £30,000 a year for the eleven years following. They pray for a grant accordingly. *P.* ¼. *Endd. Ibid.* 291.

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Addenda.

COPY of PETITION to the KING of LIEUTENANT-COLONEL FITZGERALD, showing that:—

Petitioner's father had a small estate in Limerick, and died before October, 1641. Petitioner, who was his heir, lived peaceably till the usurper's power became prevalent, when he quitted Ireland and followed the Royal fortunes, leaving his mother with many forlorn children. His estate and her jointure were seized and "disposed to the usurper's soldiers" who still possess them.

As petitioner is next heir to his brother, who has no issue, and as his present employment at Tangier may require his future employment thither, he prays for a "propositive" order for restoration of his brother and mother without previous reprisals, and for a proviso in the Bill of Settlement for confirming the said order. *P.* ⅔. *S.P. Ireland* 307, 292.

SAME of COL. JOHN FITZGERALD, showing that:—

He is the son of Gerald Fitzgerald of Balliglihan [Ballyglekane] co. Limerick, who, with petitioner's elder brother Thomas, lived peaceably during the war, and adhered to the Royal cause.

Thomas died in or about 1653, about two years after the death of Gerald, and left issue Gerald the present petitioner's nephew—an infant.

Petitioner's father charged his estate with a sum for petitioner's benefit: but the estate came into the hands of Sir Hardress Waller under a pretended grant from the usurped power.

He prays that the infant may be restored, that petitioner may have the wardship of the infant and may have his [petitioner's] portion out of the estate. *P.* ½. *Endd.* "The petition of Col. John Fitzgerald who lately brought his regiment to Mardyke." *Ibid.* 293.

SAME of EDWARD GOGH, ESQ., showing that:—

Thomas Gogh, brother to the petitioner, obtained the King's letters for restoring him to his estate which was held by one Col. Sanky, as a gift from the usurper. The letters were directed to the late Lord Justices. Sanky, knowing that he had no just claim to these lands, pretended that he had sold them to the Earl of Anglesey who owned the same: yet Sanky remained in possession thereof.

The King recommended the Duke of Ormond to re-possess Thos. Gogh, as a favour to Major Scott, kinsman to Thos. Gogh; and the Earl of Anglesey, on hearing that he was restorable, wrote to the Lords Justices praying them to see him reprised. Sanky, from whom he pretended his purchase, was really not at all reprisable, which really was the cause of Sanky's pretended sale, as he hoped thereby to obtain reprisals.

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Addenda.

Thomas Gogh, before he could be restored, died without issue, and from him his estate is descended to his brother, the petitioner.

He prays that no clause to his prejudice may be put into the Act now under consideration: but that a proviso therein may be inserted for his restitution. *P.* ¾. *S.P. Ireland* 307, 294.

Copy of Petition of James Gernon to the King, showing that:—

Encouraged by the late Commissioners [*sic*] in Ireland to such as should discover lands withheld from the King, the petitioner, making use of the name of John Burdett, did in open Court, and on full hearing of the whole matter, make out the King's title to the lands of "Moyllinstown" [Mullanstown?] and Spencer's Hill, containing 153 acres in the barony and parish of Atherdee [Ardee], co. Louth. The Commissioners declared this to be a good discovery, and gave petitioner leave to place deficiencies thereon to the extent of nearly £40. The Court was, however, dissolved before petitioner could get a final certificate, so that his labour was in vain. In consequence of steps since taken by the petitioner, the Attorney-General has lately exhibited an information in the Exchequer there against one Wm. Armitage and others—present possessors of the said land.

Petitioner has as yet received no compensation for his deficiency, nor for his labour and charge in making the discovery, and he must be put to a considerable further charge in bringing the matter to a new trial. The lands in question have not yet been granted to anyone else, and are part of the inheritance of petitioner's father, and it is usual, in these cases, in consideration of the labour of the discoverers, to reserve only a small rent.

He prays for a grant of the lands at 3*d.* an acre. *P.* 1. *Endd. Ibid.* 295.

Copy of Petition to the King of Hugh Lord Glenawlie, showing that:—

The King was pleased to promise to think of some means to do me good, and to say that if I could find out anything in his gift he would bestow it on me. At the time of my being in Ireland I tried to find something, but could find nothing but what was at the disposal of the Court of Claims.

I lost £10,000 last year, and being out of hope to recover it, and "lought" [loth] to desire anything that might prove prejudical to the King's present occasions, I pray that the Lord Lieutenant may be empowered to grant me, in whole or in part, any thing which may be discovered after the expiration of the Commission to the Court of Claims. *P.* 1. *Ibid.* 296.

Same of Dame Mary Graves and Daniel Smith, gent., showing that:—

Many persons trading to Ireland are cast away or lose their ships and goods for want of lighthouses there. There is "as yet no lighthouse in any part of Ireland." The petitioner Smith has suffered loss by shipwreck upon these coasts.

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They ask for the liberty by patent to erect lighthouses at Dublin, Waterford, Cork, "Yawhall" [Youghal], and Wexford, and to have 2*d*. a ton of each ship that comes in of foreigners, and 1*d*. of natives. *S.P. Ireland* 310, 297.

DRAFT of the KING to the LORD CHANCELLOR of IRELAND and COUNCIL [?].

Directing that henceforth no grant of land be made in Ireland but upon a particular first had from the Surveyor-General, and that all letters patents be entered in the Auditor-General's office. *P.* ½, *with note from* Lord Valentia that something of this kind should be written to the Lords Justices for His Majesty's service. *Endd. Ibid.* 298.

SAME for the ATTORNEY-GENERAL of IRELAND.

We hear that our Prime Sergant-at-Law in Ireland "doth intromit himself into and invade the office and employment of our Attorney-General" there, in drawing *fiants* and preparing grants there to pass the Great Seal, "which is not nor ever was the practice of any of our Sergeants-at-Law in our Kingdom of England or that of Ireland." You shall be careful to stop these invasions and see that the Attorney-General has the full benefit of this office. *P.* ½. Also a draft of a letter *in* Nicholas' *hand* of same purport. *P.* ½. *In all, p.* 1. *Endd. in* Nicholas' *hand. Ibid.* 299.

SAME for TREVOR LOYD.

We understand that though you had given to Trevor Loyd patents under the Great Seal of Ireland, giving him the command of the next vacant foot company, companies have since been given to other persons. You shall see he has the next company which falls vacant according to the precedency of his grant. *P.* ½. *Endd. Ibid.* 300.

The KING to the SHERIFFS of the City of Dublin for the time being:—

We have lately granted to Sir Patrick Wemyss the "houses, curtilages, gardens and closes," whereof James Bath, of Athcarne, Philip Hore, of Kilsaghlane [Kilsallaghan], Edward Allen, of Bishopscourt, Thomas Conran, of Wyanstown, Alderman Robert Arthur, of Dublin, and Christopher Chamberlain, of Dublin, were seized. As it will take some time to pass this grant, you shall put Sir Patrick into immediate possession, in order to prevent waste. *P.* ½. *Endd. Ibid.* 301.

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General date
End 1661.

Documents relating to the Titles of the Adventurers for Land in Ireland.[1]

Report on the writings relative to the Adventurers for lands in Ireland remaining in the hands of Mr. Wm. Tibbs, Register to the late Committee at Grocer's Hall, with reasons why these writings should be sent to Ireland.

The following books have been found :—

A great book of entries of subscription on the left page and, over against that, entries on the right page showing the payments and the dates of payment.

A smaller book, apparently containing extracts from the larger.

A great book of entries of certificates which were given when the payments were allowed.

Comparing the several parts of these books with those transmitted into Ireland by the late Commissioners of the Court of Claims, and now in the custody of the late sub-commissioners, I find them to agree in the entries.

"I find also that all these books of entries were drawn and abstracted out of certain receipts or acquittances from certain persons who were appointed treasurers or receivers of the moneys subscribed by the adventurers, which receipts or acquittances are signed by the said treasurers and bundled up in hundreds with figures of reference to the books. Upon comparing several particulars of the entries with the said receipts I find false entries both as to the time of payments, and as to the sums paid, whether by oversight or otherwise I cannot say. But the said receipts or acquittances I find are the only and sole vouchers whereby the whole adventurers were allowed or not allowed, and are the only papers that will discover and make out the King's title to the quantum [?] of the elapsed money, sea forces, English arrears, or original adventures and doubling ordinance." Without these receipts, no controversy in this matter can be settled satisfactorily, nor can the sub-commissioners appointed to consider the Bill now under consideration ascertain whether payment should be made in Irish or English acres, since this depends on the date at which subscriptions were paid in.[2]

There are also receipts given by the late Committee at Gurney House, concerning Bishops', Deans', and Chapters' lands in England. Study of these will enable us to find out about the elapsed money in Ireland. About the year 1647, several persons that had elapsed for lands in Ireland and paid in half money, were by an ordinance of Parliament allowed double as much out of Deans' and Chapters' lands—"as for instance, an adventurer for Ireland subscribed £100 and elapsed. He comes to Gurney House with the receipt of what he had paid, as for instance £70, and, paying £70 more, has allowance of £140." One William Benson was Treasurer. I have often been at his house and office, and he has promised meeting, but fails.

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(1) These documents are placed together here for convenience.
(2) *See Cal. of S.P. Ireland, Adventurers*, Preface, p. xli.

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I think all these documents should be sent to Ireland and given to the Commissioners appointed to execute this Act[1] or their sub-commissioners, and that the King's warrant should issue to William Tibbs for this purpose.

William Benson should also be ordered to appear before his Grace and deliver up the books, &c., of [?at] Gurney House or give account what is become of them; and especially of the receipts of the Treasurers. *Pp.* 2⅛. *Endd. S.P. Ireland* 307, 302.

A Catalogue of Books of Adventurers [?] for Lands in Ireland.

This comprises:—

Two books of certificates founded on the order of the Council of State, dated 8 June, 1653, for satisfaction of the adventurers for lands in Ireland, and of arrears due to soldiers and other public debts. A book of certificates granted for public debts by a Committee for Claims in Ireland. A book of adventurers of money paid by several persons in 1642. A book of subscriptions of what several persons subscribed to pay towards the relief of Ireland in 1642. A cash book for subscriptions and money lent upon an ordinance of 14 July, 1643. Two diaries for money lent in the years 1642 and 1643. A book for goods lent upon the ordinance of 30 Jan., 164⅗. A book of petitions and propositions in the year 1642. Three books of orders from Jan., 165⅓ to April, 1661. A diary of the Committee for Adventurers in 1662. A book of affidavits taken by the Committee of Adventurers for claims in Ireland, upon allowing public debts in 1654. A book of orders of a Committee at Derby House, touching adventurers in 1644 and 1645. A receipt book of Mr. Tibbs.

Seven books of certificates grounded upon an ordinance of the late Protector, dated 1 Aug., 1654, marked A, B, C, &c.

Two books of letters upon the several divisions and two books of the baronies in Ireland.

Two books of a Committee of Parliaments dealing with adventurers in 1642.

Two books of orders of a Committee appointed for regulating the affairs of the adventurers in 1642 and 1643.

Two books of orders of a Committee at Grocer's Hall concerning the adventurers in the year 1654.

P. 1. *Endd. Ibid.* 303.

List of Regicide Adventurers with certificate of the lots and sums belonging to them now vested in the Duke of York:—

On perusal of the books of subscriptions of adventurers for land in Ireland upon the Acts of 17 and 18 Car. I, I find:—

1. John Blakeston subscribed but £600 and paid but £300[2], but I am informed that he drew lots for others which were allowed of the Commissioners for Claims at Grocers' Hall; *and assigned to Alderman Andrewes and Stephen Estwick for* £1,500, *being doubled*

(1) The Act passed in July, 1662.
(2) Incorrect, *see Calendar of S.P. Ireland, Adventurers* 1642-59, p. 76.

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Addenda.

money, which lot fell in[1] the barony of Ballibrett [Ballybritt], King's Co., which is deficient, and that the said £1,500 was long since handed over to pay creditors, whereof Sir Thos. Withrington and Sir Thos. Player are two.[2]

2. John Lisle was sometime Commissioner of the Great Seal. He paid in £600 and drew in Kilkenny [West] North-west Quarter No. 1. He was in possession unless outed by claims and innocent Papists.

3. Capt. Robert Tichborne, father of Sir Robert, paid in £200 and drew in Slievemargy barony. Is still in possession of some or all, if not outed by claimants.

4. Gregory Clement. Paid in £2,500 for land and sea service[3] and this being doubled, was allowed £5,000. Drew for £3,000 in the barony of Garrycastle, South-middle Quarter No. 3 and for £2,000 in the South Quarter No. 4 of the same. Am informed that Lieut.-Col. Wm. Hamilton had a lease of all the estate and was in possession, but it is now recovered from him by John Coghlan, of Garrycastle, Laurence Coghlan, of Kincora, and Capt. Francis Coghlan, of the same, as innocents. They have been in possession for twelve months or thereabouts. About 1,000 acres were not so recovered and are in the hands of the said Lieut. Col. Hamilton. He has a lease for 80 years; and the rent thereon reserved is charged to the Duke of York.

5. Miles Corbett. Advanced £700, for which he drew in Rathconrath, also £100 for which he drew in Portnehinch, and £150 for which he drew in Maryborough. Was never in possession of the last, though there is land enough in the barony. Is in possession of the others unless ousted by claims or innocents.

7. Oliver Cromwell advanced £850 and had land allowed him in Eglish. That land is by the Act of Settlement confirmed upon John Russell, of Chipnham [Chippenham], Esq.

Similar information is given with regard to the adventures of Cornelius Holland, Francis Allen, James Harrington, Henry Martin, Alderman Thomas Andrewes, and William sometime Lord Mounson. *In all, pp.* 2½. *Endd. S.P. Ireland* 307, 304.[4]

This concludes the documents relating to this case.

List of the "Former Proprietors" in Tipperary.

Sir Thomas Hurley, of Knocklonge.
Derby O'Connor, of Duncoming [Duncummin].
Sir John Magrath, of Ardivalane.
The Lord of Castle Connell.
Mortagh Heffernan.

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(1) The words in italics are erased, but are apparently accurate: *see Calendar of S.P. Ireland, Adventurers*, 1642-59, Index, *s.v.* Ballybritt.
(2) Several erasurers make the sense of these paragraphs obscure.
(3) *See Calendar of S.P. Ireland, Adventurers*. 1642-9, Preface, p. x.
(4) For verification *see* Index to *Calendar of S.P. Ireland, Adventurers*, under these names.

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Addenda.

Conor Heffernan, of Michaellstown.
Mathew Heffernan, of Ballyglany.
The Lords of Brittas and Dunboyne.
Heffarnan [*sic*], of Gortivard.
Daniel Ryan, Theobald Burke, and Eustace and Pierce English
In East Meath :—
Robert Plunkett, of Rathmoore [Rathmore].
Sir Richard Blake.
Veldon, of Raffin.
Ensign Butler, of Shanballyduffe, was the former proprietor of Drangandergan. *P.* 1. *S.P. Ireland* 307, 305.

DRAFT of the KING to the LORDS JUSTICES for JAMES WEMYSS.

Being a draft of grant of 17 June, 1661, for which *see above* *p.* 357. *P.* ½ *Ibid.* 306.

SAME for HUGH KING.

Being a draft of the letter of 18 June, 1661, for which *see above* *p.* 360. *P.* ½. *Ibid.* 307.[1]

PETITION to the KING of the AGENTS employed by the MAYOR, SHERIFFS, COMMONS, and CITIZENS of Dublin, on behalf of the MAYOR, &c., of Dublin, in pursuance of their former petition.

They ask that the charters of their privileges be confirmed and renewed by patent; that the King will grant them an act for renewing those charters, and that a bill be drawn and passed in the Irish Parliament for ratifying them, "and for enlarging of the franchises of the said city to three miles round about by land and by sea as far as it now is."

"That one of the Sheriffs of the said city for the time being may successively be made sheriff of the county of Dublin at large; and that every alderman that hath served the office of Mayoralty of the said city may be a justice of the peace therein during his life, and that the ferry over the river Avenliffe [Liffey] may be likewise confirmed by the said Act unto them and their successors, they having the said river and lands of each side of the river granted to them."

That the Mayor, &c., may have a grant of all the goods, &c., of felons of themselves, deodands and all debts forfeited by any who kill themselves or shall be outlawed for felony or treason, who at the time of such crimes shall be living in Dublin. Other corporations have this right. They ask for the watercourse which they now enjoy, and for the right to cut sods for its preservation on the lands of adjoining owners; also for a fee farm rent of £60 a year for repair of their walls, which are much

[1] This and the foregoing were discovered too late for insertion according to date.—ED.

1661.
Addenda.

decayed, and that Commissioners may be appointed to inquire what sums, &c., they have advanced for the State service. *P.* 1, *to which is attached a note in Nicholas' hand.* The King is anxious to reward the loyalty of the citizens of Dublin. When his Government in Ireland shall be fixed he will take such order for renewing and confirming their charters as may be right. He will consult with the Council of Ireland as to the rent of £60 a year. *P.* 1. *In all, pp.* 2. *S.P. Ireland* 307, 308.

DRAFT of the KING to the LORDS JUSTICES for RANDALL MOORE.

Sends his petition. Owing to his father's services he shall, if the facts in the petition prove true, be pardoned by patents for an offence committed "in heat of blood upon great provocation." *P.* ½. *Endd. Ibid.* 309.

PETITION to the KING of ARTHUR MAGENIS, of Clanconell, co. Down, showing that:—

Petitioner's grandfather and father never assisted in the late rebellion, and petitioner himself was only four years old when it broke out. Petitioner remained loyal, was dispossessed by the late [usurper], and took no lands in Connaught.

He prays for restoration. *P.* ¾. *With*—

Order, dated 6 April, 1661, Whitehall, to the Lords Justices to consider the case and to restore Magenis, if his allegations prove true. *P.* 1. *Endd. Ibid.* 310.[1]

PETITION of RANDALL, MARQUIS OF ANTRIM, to the KING, showing that:—

Petitioner alone, when all others are pardoned "finds his fleece dry and himself broken" and is imprisoned, he knows not why—"which hath more imprisoned his soul than his body." He prays for that common right—not denied to the worst offenders—of knowing the charges against him, and that he may be able to prepare his defence, and show that he never acted but at the warrant of the late King. *P.* 1. *Endd. Ibid.* 311.

FURTHER PETITION of SAME to SAME.

The King has been pleased to accelerate his trial, but his imprisonment has made him so ill that he cannot prepare his defence. He is at great charges, and has to support his family abroad, having been deprived of his estate this twenty years.

He prays that he may be released on bonds. *P.* ½. *Followed by*—

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(1) Discovered too late for insertion according to date.—ED.

1661.
Addenda.

MEDICAL CERTIFICATE of DAVID HAMPTON.

Being called on by Sir John Robinson, Lieutenant of the Tower, to visit the Marquis of Antrim I found him ill, as I think, from his unusual restraint. "Having under God taken him into a course of physic" I failed to cure him and think that, if not released, he may have "a more dangerous disease through mallencolly and want of ayre." *P.* ½. *Signed and dated* 29 Dec., 1660. *In all, p.* 1. *Ibid.* 312, 313.

END OF S.P. IRELAND 307.

1662.

1662.
3 Jan.
Whitehall.

WARRANT by the KING to the ATTORNEY or SOLICITOR GENERAL.

Directs them to prepare a Bill for the Royal signature constituting the Earl of Orrery and Sir Maurice Eustace, Lords Justices of Ireland, with all the usual fees, powers, dignity, &c. Their present patents which were to them and the Earl of Mountrath are made void by that Earl's death. Directs them also to prepare a fresh Bill empowering the Earl of Orrery and Sir Maurice to summon Parliament. The letters patents dated 13 Mar., 1661, are void for the same reason as those last mentioned. *P.* 1. *Entry. S.P. Ireland* 308, *pp.* 114-5.

Same.

SAME to ALDERMEN JOHN WARREN, JOHN TOWSE, and THOMAS ANDREWES, and LAURENCE HALSTEAD.

They were appointed the four Receivers under the "Act for a speedy and effectual reducing," &c.,[1] and were directed to keep books stating the names of subscribers under that Act, and the date and amounts of their subscriptions, for the prevention of frauds and abuses. They shall hand these books in to Sir Edward Nicholas, to be by him perused and tendered to the Lords of the Council who are appointed to be a Committee for the affairs of Ireland. After inquiry there had, they shall be disposed of as thought fit for the King's service. *P.* ½. *Entry. Ibid. pp.* 115-6.

7 Jan.
Waterford.

COPY of ADDRESS to the DUKE OF ORMOND [as Lord Lieutenant of Ireland] of the GOVERNOR OF WATERFORD and the CAPTAINS of COMPANIES in and about Waterford on behalf of themselves and of those under their command.

We congratulate you joyfully on the position which you are to occupy by the "grave and well advised" decision of the King. We

(1) 16 Car. I., cap. 33.

1662.

shall cheerfully sacrifice our lives and fortunes in defence of the Royal cause and prerogatives. Our feelings are stronger than we can express, and we desire to be judged by our intentions rather than by our address. *Pp.* 1½. *Signed by* Richard Power, George Prater, Anthony Horsey, Jo. Hubblethorne, Edw. Crispe, D. Francis, James Mutlow, Robert Manwaring and Samuel Jones. *Endd. S.P. Ireland* 310, 1.

7 Jan. Waterford. ADDRESS to SAME of the MAYOR, ALDERMEN, SHERIFFS and COMMONS of the City of Waterford.

Had not the news of your appointment as Lord-Lieutenant been intercepted by strong rumours commanding our belief, "we who claim a special portion in your Excellency (as being the descendant and successor of those honourable progenitors who have time out of mind been the noble patrons of this city) should not so long have been breeding our unformed joys and at last bring them forth as children born out of due time. Most noble Sir, what hath been said of sorrow is true of joy. The lesser speak, the greater sink into amazement for either passion are [*sic*] alike confounded at the greatness of their objects." We look forward to your protection of the Church and of the "Good old Protestant interest in this Kingdom." As attempts have been made to represent us as disloyal, we protest formally our loyalty to the King and yourself. *Other flattering phrases.* *Pp.* 1½. *Signed by*—

Wm. Halsey, Mayor.
Mathew Johnson.
Robert Turbridge.
Richard Basset.
Thomas Christmas.
Thomas Novell.
Samuel Brinsmead.
Thos. Exton.
Wm. Cooper.
John Gregory.
Fradsham Lord.
George Walters } Sheriffs.
Richard Wilkinson }
Andrew Rickard.
John Houghton.
John Tomlinson.
Benedick Claybrooke.
John Lapp.
H. Seager.
Wm. Bamlett.

Endd. Idid. 2.

10 Jan. Whitehall. The KING to JAMES BUNCE and others.

By the ordinance of Parliament of 14 July, 1642 [? 1643] and 13 Nov., 1647, for encouragement of the adventurers to make new subscriptions for lands in Ireland, it was ordered amongst other things that James Bunce, Thos. Foote, John Kenrick, Samuel Avery, and Thomas Andrewes, of London, aldermen. should be Treasurers for all the money paid on the said Declarations or Ordinances, and give receipts for the sums paid in, and keep books of accounts. They shall bring these books to Sir Edward Nicholas, &c. [as in the letter of 3 Jan. to Warren and others, *q.v.*] *P.* ½. *Entry. S.P. Ireland* 308, *p.* 116.

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10 Jan. [Cork.] COPY of ADDRESS to the DUKE of ORMOND [as Lord-Lieutenant of Ireland] of the MAYOR, SHERIFFS and COMMON COUNCIL of CORK, on behalf of themselves and the Commonalty of the CITY.

Similar to the addresses of Jan. 7.

Refers again to the happy results of the restoration of the Church to her rights. They appreciate the Duke's efforts in defence of "the English interest" in Ireland, and will not scruple to hazard their lives and fortunes under his command. *P.* ⅔ (*large*), *signed by*

Walter Cooper, Mayor.	John Vanderleure, Alderman.
Richard Covett, Alderman.	P. Courthopp, ,,
Christopher Oliver, ,,	John Hodder, ,,
Chris. Rye, *vic*[*ecomes*, *i.e.* sheriff].	Wm. Hodder, ,,
Nicholas King.	Henry Bathurst, Recorder.
John Fline.	Philip Mathews, Alderman.
Timothy Tuckett.	Jonas Morice.
John Baylye.	John Baker, Alderman.
Richard Lane.	Thos. Woodliffe, ,,
Thos. Farrell.	Richard Bassett, ,,
Noblett [?] Dunscombe.	Thos. Bowles.
Thomas Fennell.	Robt. Williams.
Robt. Fletcher.	Josias Walker.
Thos. Swabie.	Thos. Crooke.
John Wren.	Will Hodder, jun.

Endd. S.P. Ireland 310, 3.

11 Jan. Note of a pass for six store horses and one gelding to go to Ireland for the Bishop of Cork. *Two lines. S.P. Dom. Entry Book V. p.* 120.

14 Jan. Bandonbridge. COPY of ADDRESS to the DUKE OF ORMOND, as Lord-Lieutenant of Ireland, of the Provost and Corporation of Bandonbridge, co. Cork.

Similar in tone to the addresses of 7 and 10 Jan. *q.v. P* ⅔ *large. Signed by* Clement Woodroffe, Provost, Abraham Savage, John Smith, Michael Bull and about 55 other members of the Corporation of Bandonbridge. *Endd. S.P. Ireland* 310, 4.

14 Jan. Whitehall. The KING to the LORD JUSTICES for NICHOLAS BAILEY and JAMES READ.

Some of the lands which we lately granted to Bailey and Read in Ireland for 60 years are misnamed in our grant—as Down instead of Bawne, Maulashan instead of Maulahalagh, and Moorefieldstown instead of Mandevillstowne. In spite of these mistakes you shall direct the Chief Baron of the Exchequer there to see that Bailey and Read have possession of these lands. *P.* ½. *S.P. Dom. Signet Office V. p.* 105.

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14 Jan. Whitehall. [Secretary Nicholas] to the Lord Chancellor Eustace.

I have to acknowledge yours of the 26th, and to say that, three days after it arrived, I received another letter, undated, concerning the business of Portlester. I wish you would write to the Lord-Lieutenant about it and tell him what you reasonably desire to be further done. I should be glad to know whether anything has been done concerning the pardon for 164 persons obtained by my Lord of Orrery and for the 77 persons obtained by the late Earl of Mountrath, and whether you have passed any such pardons under the Great Seal, and to whom. The Lord Lieutenant is already taking care to have—as you suggest—money with him when he goes over. I send you a proxy of the Earl of Down, which the King leaves to the Lords Justices to fill up as they think fit. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 85.

Same. [Same] to the Earl of Orrery.

We sent Mr. Rosse back as quick as possible, and hope he will arrive in good time. I was so busy, I had not time to acknowledge yours of the fourth, or express my gratitude to you. The mistake in the recital of the Commission to the three Lords Justices to hold the Parliament is now rectified. By the last post the Bill for £15,000 went, &c. Additional guards for the King. *P.* ½. *Evidently incomplete. Ibid. p.* 85.

Same. Entry of the King to the [Lords Justices ?].

Directing them to insert in the bill for settling the adventurers' and soldiers' estates a clause for restoring to John, Lord Kingston or his late father, Sir Robert King, the estate purchased by them from adventurers, soldiers or transplanted persons; and set out to or possessed by them on 17 May, 1659, according to the rules prescribed in the Declaration for the Settlement of Ireland. They shall therein provide that such part of the said lands as were set out on the ordinance be confirmed to him and his heirs, he delivering up, to be cancelled, deficient adventures or such part of his own, his father's or other debentures for service in Ireland before 5 June, 1649, as are of the same value. As Lord Kingston has, in obedience to the King's orders on behalf of George, Lord Strabane, Sir Henry Talbot, Sir Wm. Dongan and others, delivered up to them the possession of several of their lands, he shall be reprised therefore in the cos. Dublin, Cork and Kildare by special proviso in the same clause, provided that the lands so to be given him were possessed by adventurers, soldiers or transplanted persons or their assigns according to the rules of the Declaration. *P.* 1. *S.P. Dom. Entry Books V. pp.* 124-5.

16 Jan. Copies of two Acquittances by Secretary Nicholas.

(1) To Sir Thos. Foote, Kt., Alderman of London, for "two certain paper books," entitled "Subscriptions for houses and lands

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in Ireland according to an ordinance of Parliament, dated 14 July, 1643": and "Subscriptions for lands in Ireland according to an ordinance of Parliament, dated 14 July, 1643."

(2) To Alderman Warner, the executor of Alderman Andrewes, for five paper books, entitled respecting "Subscriptions for lands in Ireland," "Subscriptions for additional forces in Ireland," "Subscriptions for Members of Parliament in Ireland;" "A Book of Subscriptions and payments for Ireland by way of debtor and creditor," and an abstract of the said book of subscriptions and payments. *In all, p.* ½. *Entry. S.P. Ireland* 308, *p.* 117.

16 Jan. Whitehall. ENTRY of WARRANT to [————].

For sending 1,200 barrells of powder and match to Ireland to be there delivered to such person and at such place and to be so disposed of, as the Lord Lieutenant shall appoint. 4 *lines. S.P. Dom. Entry Books V. p.* 127.

17 Jan. Court at Whitehall. ORDER of the PRIVY COUNCIL.

Present:—

The King.

The Duke of York.

The Lord Chancellor, Lord Privy Seal, and Lord Chamberlain.

The Dukes of Albemarle and Ormond.

The Marquis of Dorchester.

The Earls of Berkshire, Anglesey, and Carlisle.

Lords Wentworth and Ashley.

The Controller, the Vice-Chamberlain, and Secretaries Morice and Nicholas.

By an order of 14 Jan. last, this Board referred the question of erecting a mint in Ireland to the Lords and others who have been appointed a Committee for Irish affairs. The Committee to-day reported recommending that a mint be established in Ireland with the same "rules and cautions" as were observed in the time of the Earl of Strafford's government—as mentioned in a certificate to the Lords of the Council, dated 20 Sept., 1637. This certificate was referred to the Lord Deputy and Council, and approved by them. It is ordered that Mr. Secretary Nicholas prepare directions for his Majesty's signature to be transmitted into Ireland accordingly. *P.* ⅔. *Signed*, Edw. Walker. *Endd. S.P. Ireland* 310, 5.

20 Jan. Whitehall. The KING to the LORDS JUSTICES for JOHN BURNISTON.

Burniston's petition shows that in 1657 he took from the late usurping powers a small parcel of land called Sutton, upon the hill

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of Howth, in the co. Dublin, containing 140 acres or thereabouts of barren, rocky, mountainous land—the late property of Ignatius Gough, a Jesuit; that he has spent £300 on repairs and improvements there, and that as the Bill lately transmitted from Ireland for settling the kingdom does not confirm leases such as his—though those taken in Corporations and walled towns are confirmed—he is likely to lose his land and the value of his improvements. Being sensible of his services to Henry, Duke of Gloucester, and our late sister, the Princess Elizabeth—whom he served in the worst of times—we direct you to make him a lease of the premises for such term and at such rent as you think reasonable. *P.* 1. *S.P. Dom. Signet Office V. pp.* 105-6.

20 Jan. Whitehall. The KING to the LORDS JUSTICES for ROBERT WARD.

Directing that as he has been recommended by the Marquis of Ormond he be given by letters patents the post of Registrar-General in Ireland to keep all duplicates, certificates and other writings touching soldiers' debentures, to hold during pleasure with all the usual fees, advantages, &c. *P.* 1. *Ibid. pp.* 106-7.

Also draft of same. *P.* ⅔. *Endd. S.P. Ireland* 310, 6.

20 Jan. Council Chamber, Dublin. COPY of PROCLAMATION of the LORDS JUSTICES and COUNCIL.

Proroguing the Parliament until 20 Feb., 1662. *P.* ½, *with note of printing, &c., as in foregoing proclamations. S.P. Ireland* 309, *p.* 44.

About 22 Jan. PETITION to the KING of RICHARD, EARL OF CLANRICARD [*sic*], CHARLES, LORD VISCOUNT MUSKRY [MUSKERRY] and LADY MARGARET, his wife, showing that:—

By an office taken in Connaught in or about 1635, and by reason of a voluntary submission thereunto made by "Ullick," late Marquis of Clanricarde to King Charles I., that King, being in possession of the Earl's estate, regranted it to him by patents of 14 Feb., 163⅔.

War soon broke out, and the Marquis, intent on the King's service, did not complete the taking out of the patents. The said Marquis died in 1658 and left only a daughter, Margaret; and the Earldom descended to the petitioner Richard, heir male of Ulick Bourke, the elder, the first patentee of the honour. All the late Marquis's rights and estates are descended to Richard or to Lady Margaret, who is married to Viscount Muskerry, and they have agreed by articles as to the possession of the said estate.

The estate is not in the hands of adventurers or soldiers. Petitioners pray that it may be granted to the petitioner Richard to the uses, &c., specified in the said articles. *P.* ½. *Endd., to which is attached—*

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Copy of the grant of King Charles I. to the Marquis of Clanricarde, dated 14 Feb., 163$\frac{8}{9}$, for which *see Cal. of S.P. Ireland* for that date. *Pp.* 2$\frac{3}{4}$. *Endd. and certified by* Sidney Bere, with certificate dated 22 Jan., 166$\frac{1}{2}$. *In all pp.* 3$\frac{1}{3}$. *S.P. Ireland* 310, 7.

23 Jan. Whitehall. The KING to the LORDS JUSTICES for JOHN O'GILVY.

On May 8, 1661, we appointed John O'Gilvy, Master of our Revels and Masks in Ireland. On his surrender of the patent you shall cause fresh letters patents to be passed granting him the same post for his own life and for that of Thomas Stanley, jun., son and heir of Thomas Stanley, of Camberloe, Herts, or the longer liver of them. *P.* $\frac{3}{4}$. *S.P. Dom. Signet Office V. p.* 108.

Same. SAME for the EARL OF KILDARE.

In the matter of the Earl's petition for the Customs of Stranford [Strangford] and Ardgloss [Ardglass], we send you a copy of the petition, together with the report of certain of the Privy Council thereon. You shall call in our council learned [in the law] and debate with them as to how these customs came into our hands and whether the ancestors of the Earl accepted any compensation for the same. You shall report to us on the true state of the matter before we act further. *P.* $\frac{3}{4}$. *Ibid. p.* 109.

23 Jan. Entry of pass to Adrian Geretsen Van Someren, of Sardam, in Holland, to go to Ireland with a view to seeing what conveniency there will be for transporting Dutch families thither, according to the late Act of Parliament. *Five lines. Entry. S.P. Dom. Entry Book V. p.* 134.

24 Jan. Whitehall. The KING to the LORDS JUSTICES for WALTER COOPER.

Cooper, who was lately Receiver of the Public Revenue in the co. Cork under the usurped power, states in his petition that owing to a great debt due to him from the King of Spain, he has been unable to pay a sum of £700 or £800 due to us from him in his official capacity, and asks that we shall not allow process to issue against him for this debt, but take his recognizance to pay what is due. As he was zealous in promoting our restoration, we grant this petition; and you shall give orders accordingly. *P.* 1. *S.P. Dom. Signet Office V. p.* 110.

Same. SAME for HERCULES LANGRISH.

On behalf of himself and others, Langrish states that Richard Talbot, of Dardistown, has petitioned the House of Lords in

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Ireland for restoration to his lands, which are now in the hands of Langrish and others. If the strict rule of law is followed, and not our recent proclamation, Langrish and the others will be ousted. You shall see that they are not disturbed until the matter has been heard by the Court of Claims, which is designed to settle such matters. *P.* ¾. *S.P. Dom. Signet Office V. p.* 111.

24 Jan. Whitehall. The KING to the LORDS JUSTICES for PHILIP ALDEN.

He has for several years practised in the Court of Exchequer in Ireland as an Attorney or Solicitor, and prays for leave to continue practising in those Courts taking only the oath of Allegiance. Following our father's example we have allowed persons to practise on such terms. The request is therefore granted. *P.* ½. *Ibid. p.* 116.

[24 Jan.] PETITION of COLONEL DUDLEY COSTELLO to the KING, showing that:—

The King is entitled in right of his crown to a certain 400 acres of arable land besides wastes in the co. Roscommon, not as yet in charge nor engaged to adventurers or soldiers and now in the King's immediate disposal.

The King is likewise seized in the same right of certain "eyle" weirs, lying in cos. Roscommon and Westmeath or one of them, whereof part were set to divers persons for years and terms of lives and "other some not as yet disposed of and not in charge."

As there is no way open for gratifying the petitioner and others of his condition for their services, he prays for the said small parcels of land and weirs not yet in charge, in fee farm, at the rent usually charged by the Surveyor-General and for the weirs at double the rent hitherto reserved on them. He will allow any lease of the premises in existence to continue, and will henceforward pay the double rent whether the leases be out or not. *P.* 1. *Endd. with*—

Order, dated Whitehall, 24 Jan., 1662, referring the petition to the Committee for Irish Affairs. *S.P. Ireland* 310, 8.

29 Jan. DRAFT of ROYAL WARRANT to SIR WM. COMPTON and OTHERS.

Directing him to send in to the King an estimate of the charge for all the arms and powder to be sent to Ireland according to the proposals of the Earl of Mount Alexander. *P.* ¼. *Entry. S.P. Ireland* 308, *p.* 129.

31 Jan. Whitehall. The KING to the LORDS JUSTICES for the EARL OF ORRERY and OTHERS.

The two half-years' rent from the adventurers and purchasers of lands from transplanted persons in the province of Connaught or

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Clare and their assigns, and the half-year's rent from the soldiers payable by our order in Ireland according to our Declaration and instructions for execution thereof, is a distinct payment no ways applicable to the other satisfaction propounded by our said Declaration. It will require persons well experienced in the affairs and interests of that our kingdom to prescribe expedients for discovering the several estates of adventurers and soldiers there and such purchasers, so as to prevent the frauds which may be attempted by concealing the real value of those estates which, if truly discovered, will bring in a considerable sum of money to us. You shall, by a commission under the Great Seal, empower Roger, Earl of Orrery, Arthur, Earl of Anglesey, John, Lord Massereene, Sir James Ware, Auditor-General, and John Bysse, Chief Baron of the Exchequer, Sir John Percivall, Sir Geo. Lane, and Sir Audley Mervin or any three or more of them to inquire by oath and otherwise as to the full value of the lands that are or shall be set out for the respective adventures and arrears or deficiencies of the said adventurers and soldiers, in order that, upon the discovery of the same, we may receive the several half years' values mentioned to be contributed or bestowed upon us as in the said Declaration is expressed. They shall obey our future instructions in this matter. *P.* ½. *S.P. Dom. Signet Office V. p.* 115.

31 Jan. Whitehall. The KING to the EARL OF ANGLESEY for the DUKE OF ORMOND.

On 6 December, 1660, we gave special orders to the Lords Justices to examine into all the debts due from our father or ourself to the Marquis, now Duke, of Ormond, either for his disbursements or for his entertainment as a commander both before and during the time he was Lord Lieutenant. A commission was directed to Sir James Ware, Sir Wm. Ussher, and Sir Paul Davis, bearing date 24 January, 1661, to inquire into these debts, and these Commissioners found that £71,916 2*s.* 8*d.* is due to the Duke on all grounds. The Duke deserves not only our justice but our favour. You shall pay him this sum out of the sums received in respect of profits on the adventurers' and soldiers' lands in Ireland, which have been settled on them pursuant to the Declaration of 30 November, 1660. You shall be credited in your accounts with such sums as you may pay out under this order, and shall pay it out as soon as the sums come in. *Pp.* 1¼. *Entry. S.P. Ireland* 308, *pp.* 118-9.

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1 Feb. Whitehall. The KING to the LORDS JUSTICES for SIR WILLIAM PETTY.

On January 2, 1661, we signified our pleasure that Sir Wm. Petty should receive all just favours both as to the lands he then possessed and as to his debentures, and we empowered you by our

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instructions of 19 February, 1661, to satisfy him. You have since taken steps to verify the details of his claim and we find that you had inserted a special clause in the Bill transmitted here for his satisfaction. Our [Irish] Committee of our Privy Council have since, for our further satisfaction in this matter, "examined several pretences made unto and possessed by the said Sir Wm. Petty" and have thereupon admitted of the said clause. Nevertheless endeavours have been made to unsettle him, whom we think well to favour. He shall be continued in his lands as aforesaid until he is evicted by the Bill of General Settlement now in act of passing before us. If he has been dispossessed of any part of his lands he shall be restored, and you shall give notice thereof to our House of Peers and to all other persons whom it may concern, in order that our pleasure be executed. *P.* ¾. *S.P. Dom. Signet Office V. p.* 119.

3 Feb. London. REMONSTRANCE, ACKNOWLEDGMENT, PROTESTATION and PETITION of the ROMAN CATHOLIC CLERGY of IRELAND addressed to the KING.

We wish to represent our present deplorable condition. We are intrusted by the "undispensable Commission of the King of Kings with the cure of souls." We are teaching our flocks perfect obedience to the King, but are loaden with calumnies and persecuted with severity. We are accused of conspiracy without any good grounds. Our adversaries invent crimes against them. This tends to undermine the relations between the Roman Catholic clergy and laity. The charges are brought by those who enjoy the estates of the Irish and wish to prove that they are not worthy of the King's mercy. If any one of us offends, the whole clergy are debited with his offence, as though no evil or indiscreet person could write or speak without the consent of all the others.

We know what odium is cast upon us in matters of religion and dependence on the Pope's government and we therefore make the following protest before Heaven and "without equivocation or mental reservation."

We acknowledge you to be legal and rightful King of Ireland and of all your dominions, and, in spite of any authority existing in or given by the See of Rome, we will perform our duty to you to the utmost of our ability, and we repudiate any power, spiritual or temporal, which shall pretend to free us from this obligation or shall any way give us leave of licence to raise tumults, bear arms, or offer any violence to your Majesty's person and Royal authority, and to resist with our best endeavours all conspiracies and attempts against your Majesty under whatever pretence or by whatever authority they may be made. We protest that all Princes and supreme governors are God's lieutenants, and that obedience is due to them. We repudiate all doctrine contrary to this and we hold it impious, damnable and wicked to contend that a private person may murder the King.

These being our views, we humbly beg to be relieved of our present severe persecution, which we suffer for our religion only, and that those who may hereafter be guilty of other crimes be left to the punishment prescribed by law. *P.* ⅔. *Signed by*—

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Father Oliver Darcy, Bishop of Dromore.
Father Geo. Dillon of the Order of St. Francis, Guardian of the Irish Franciscans in Paris.
Father Philip Roch of the same, Reader General of Divinity.
,, Anthony Gearnon ,, ,, one of Her Majesty's, the Queen Mother's chaplains.
Father John Everard ,, ,, Con[fessor] and Preac[her].
,, Anthony Nash ,, ,, ,, ,,
,, Wm. Lynch ,, ,, Conf[essor].
,, Nicholas Sall ,, ,, Conf[essor] and Preac[her].
James Cusack, Doc. Div.
Cornelius Fogorty, Protonot[ary] Apost[olic], and Doctor of Civil and Canon Law.
Daniel Dougan, Divine.
Father Henry Gibbon, of the Order of St. Aug[ustine], Conf[essor] and Preac[her].
Father Redmund Moore of the Order of St. Dominic, do. do.
Bartholomew Bellew.
Denis Fitzranna.
Bartholomew Fleming.
Father Redmond Caron, of the Order of St. Francis, Reader jubilate of Divinity.
Father Simon Wafre, of the same order, Reader of Divinity.
Father James Caverley, ,, ,, ,, Conf[essor] and Preac[her].
Father John Fitzgerald, Theobald Burke, Mathew Duff, and Peter Geoghegan, of same, and,
Father Peter Walsh, of St. Francis' Order, Reader of Divinity and Procurator of the Romon Catholic clergy, both secular and regular of Ireland.
P. ⅔. *Followed by—*

An advertisement to the Reader.

The above "Remonstrance" was sent out of Ireland some five weeks past to be presented to the King on their behalf, but imperfect or unauthentic, having no signatures to it, as those who sent it did not reflect on the necessity of subscriptions. Such of the clergy as were then in London, understanding that the King would further expect [that] the paper should be signed by all concerned in it, or certainly by some of them authorised to sign for all, and having debated on the true meaning of the "Remonstrance," &c., thought it their duty to the King, their country and their religion, to give a beginning here, as accordingly they did on 11 and 15 Jan., 1661, to the subscriptions, and to concur therein and vouch for the concurrence of the rest of the Irish clergy to all the clauses of the said "Remonstrance," &c., pending the arrival from Ireland of the formal documents showing concurrence. Their object was to assure His Majesty of their allegiance, vindicate their religion from the scandal of unwarrantable tenets, and move in the King's breast that pity which is implored by the Roman Catholics of Ireland,

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the most forlorn and oppressed people to be found this day in Europe. This is the reason why there are so few signatures, but more will be added as soon as time and distance permit, and "their dispersion into many foreign countries and the grievous persecution of the remainders at home yet in Ireland; some, and these even by dozens and scores, and for many years many of them, confined in the several provinces to public gaols, marshalseas and prisons in that kingdom; and not a few, now of late, to close restraint, and new additions daily made; others flitting and roaming to hide themselves in mountains, woods, rocks, bogs, in caves, and horrid wildernesses, and searched for notwithstanding day and night, yea hunted like wild beasts," &c. *Other details.* *P.* ½. *Signed by* P[eter] W[alsh], &c., *as above.* *In all, p.* 1. *Printed. Endd. S.P. Ireland* 310, 9.

4 Feb. COPY of ROYAL WARRANT to SIR JEFFREY PALMER, KT., Attorney-General.

Directing him to draft a grant, to pay the Great Seal, pardoning Richard, the son of Sir Henry Bellings, for all crimes committed against King Charles I., with restoration of land and goods. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 119.

7 Feb. Whitehall. The KING to the EARL OF ANGLESEY, Vice-Treasurer and Treasurer at Wars for Ireland, for LUKE, EARL OF FINGALL.

Directing that the payment of £100 a month to the Earl, which was ordered by the Lords Justices in August last, be continued to him until he is restored to his estate. *P.* 1. *S.P. Dom. Signet Office V. p.* 120.
Also entry of same. *P.* ½. *S.P. Ireland* 308, *p.* 120.

7 Feb. DRAFT of the KING to the TREASURER, UNDER-TREASURER and CHANCELLOR of the EXCHEQUER concerning public debt in Ireland.

In order to settle Ireland and reduce our charge there, which very much exceeds the local revenue, we have received proposals from persons whom we trust as to the best means of clearing off debts and reducing our charge within the compass of our revenue. For this purpose £80,000 must be paid out of the £1,200,000 lately provided for us by Parliament. You shall consult with the Duke of Ormond and take steps for raising this sum and sending it to Ireland, and for repaying those by whom it is advanced by security on any of the [English] counties named in the Act of Settlement. You shall promptly give us an account of your joint proceedings in this matter that so the Duke of Ormond may be dispatched to attend his charge there. *P.* 1. *Entry. S.P. Ireland* 308, *pp.* 120 *and* 121.

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8 Feb. DRAFT of the KING to the TREASURER, UNDER TREASURER, and CHANCELLOR of the EXCHEQUER.

Directing that, at the time when the £80,000 already ordered to be paid to the Irish Exchequer is paid, a further sum of £20,000 be paid. This is to meet the charge of raising and maintaining a regiment of Guards in Ireland. *P.* ½. *S.P. Ireland* 308, *p.* 120.

Same. SAME concerning Halbowling [Haulbowline].

The fort of Halbowling is important as commanding the river of Cork, and needs a competent governor. You shall appoint Richard, Earl of Cork, to that port, with a fee of 6*s.* a day. As "the exigence of our other affairs" will not permit of his being always at the fort, he shall have the right to appoint a deputy. *P.* ½. *Ibid. pp.* 121-2, also *p.* ¾. *S.P. Dom. Signet Office V. pp.* 120-1.

10 Feb. DRAFT of ROYAL WARRANT to the CLERKS of the HOUSES of LORDS and COMMONS and to all TREASURERS, RECEIVERS, &c., whom these may concern.

Directing them to permit from time to time such persons as shall be nominated therefor by the Duke of Ormond, Lord Lieutenant, to search any books, papers, &c., in their possession, which may tend to the discovery of what moneys, arms, ammunition, have been given by the usurper's government to any person for or in consideration of any service in Ireland. *P.* ½. *Endd. S.P. Ireland* 310, 10.

11 Feb. WARRANT to SIR HENEAGE FINCH, Solicitor-General.

Directing him to insert in the Bill for Settlement of Ireland a clause providing that:—

"Whereas certain persons well affected to learning and the good of this country, having been informed that His Majesty hath given special encouragement to a Royal Society to apply themselves seriously to the improvement of the knowledge of natural things and of useful arts and inventions by experiments, have therefore resolved to bestow on the said Royal Society the sum of £2,592 due to them upon sufficient debentures in the Kingdom of Ireland, which, without expense to His Majesty or prejudice to any, may afford a convenient [*sic*] for ever to the use of the said Royal Society"; and whereas the said debentures purchased by the said persons from Captain Richard Perkins, Captain Drummond, Captain Henry Harebottle, Captain Gilbert Rawson, Captain Robert Thornton, Captain Thos. Lovett, Captain Edward Newton, Lieut. Richard Dixon, Lieut. Trafford, and Ensign Adam Loftus, Protestant officers, who served in the Irish wars, before June, 1649, amount to the said sum and only 14*s.* 7*d.* over:—

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Provided always, and be it enacted, &c., that forfeited houses in towns corporate and cities in Ireland amounting to £2,592, at 8 years' purchase and at the same rent they were let at in 1659, be set out and allowed to the said Royal Society for ever on the terms given to the adventurers.

He shall insert a condition forbidding subletting of these lands for more than 21 years. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 125.

12 Feb. The KING to [the LORDS JUSTICES] for VISCOUNT MUSKERRY.

[Ulick] late Earl of Clanricarde has died and left only a daughter, who is married to Charles, Viscount Muskerry. On 20 July, 1661, an agreement was made between Richard, Earl of Clancarty[1] and the Earl of Clancarty, acting for Viscount Muskerry, and we are willing that it should be carried out. You shall therefore prepare a grant for giving to Thomas, Earl of Ossory and his heirs for ever all the castles, baronies, seigniorities, manors, lordships, abbey lands, religious houses, &c., in any part of Ireland, which by James I.'s grant of 19 June, 1610, were given to Richard, then Earl of Clanricarde, deceased, and all the privileges, profits, &c., thereby granted; to be held by him, for so much as was appointed for her jointure for life, in trust for the Lady Ann, Marchioness Dowager of Clanricarde. They shall be held as to the remaining portion—with all the lands, &c., granted to Henry Pierce and his heirs by letters patents, dated 21 Dec., 1615, and with all lands of which the said Earl Ulick, late Earl and Marquis of Clanricarde, enjoyed the rents in October, 1641—in trust for Charles, Viscount Muskerry and his heirs until he and they be paid £20,000 a year for five years out of the value thereof as expressed in the said agreement. They shall be held further subject to paying £1,000 yearly to Charles, Viscount Muskerry, in accordance with the terms of the said agreement, and next after that, subject to paying £20,000 to the use of Earl Richard and his heirs male, and for settling his wife's jointure, educating his children, and paying his debts; and finally to the use of the heirs male of Earl Richard, with remainders over to the heirs male of Earl Ulick, or, failing to them to the heirs of Earl Ulick. *Non obstante clauses and other details. Pp.* 2½. *Entry. S.P. Ireland* 308, *pp.* 122-4.

18 Feb. Dublin Castle. PROCLAMATION by the LORDS JUSTICES.

An ordinance was made by the late General Convention of the Kingdom entitled "An ordinance for speedy raising of moneys for His Majesty's service," and dated 1 Mar., 1660, which ordinance was for raising a double poll. We have received information that in collecting this tax there have been great misdemeanours in the collectors and sub-collectors thereof in several counties by charging

[1] Father of Lord Muskerry.

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the people with more money than were charged in the books of assessments delivered to the said collectors. The sums thus fraudulently collected have been taken by the collectors and sub-collectors for their own use. We are aware of these injustices and are empowered to prevent them, and we therefore order by this Proclamation that all the Commissioners appointed for taxing the double poll in the counties of Ireland who have not as yet returned to the Receiver General duplicates of the books given by them to the collectors, shall forthwith return such duplicates "without referring them to returns of the first single poll." If they fail herein they will be justly suspected of connivance and will be proceeded against. The clerks employed by the Commissioners in each county shall attend the judges at the next Assize for that county and deliver to the said judges a duplicate of the said book attested by some of the said Commissioners, and shall attend there during the sessions for that county. The judges shall there hear any complaints made against these collectors, &c., and shall punish all who have misdemeaned themselves therein, not only to punish them but to deter others from such offences, and for reparation to the persons injured. The judge of Assize, on returning from circuit, shall give account of this matter to the Council. *Pp.* 2. *Entry. Signed by* the Lords Justices and ten Councillors, *printed, &c., as proclamation No.* 2 *of July* 31 *above. S.P. Ireland* 309, *pp.* 45-6.

General date 15 Feb.

DOCUMENTS RELATING TO THE CASE OF CAPTAIN JOHN PAYNE.

Sign Manual Warrant to the Lords Justices.

For granting to Capt. John Payne the post of overseer of all the fortifications and plantations in Ireland vacant by the death of of Captain Nicholas Dinner [Pinner] in ample manner and on the terms usual in such grants. *P.* ½. Dated 15 Feb., 1662. *Endd. S.P. Ireland* 310, 11.

Warrant by the Earl of Ormond.

Similar in substance to foregoing, dated Dublin Castle, 11 Nov., 1644. Pinner's salary was 5*s.* a day and the perquisites. *P.* ¾. *Endd. Ibid.* 12.

Petition by Captain Payne or Paine as above.

Reciting the foregoing and praying for a grant of the post with some increase of fee beyond 5*s.* a day since the number of fortifications is much increased and the regulation of the plantations requires much care. *P.* ½. *Endd. Ibid.* 13.

This concludes the documents relating to this case.

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17 Feb. Whitehall. The KING to the LORDS JUSTICES for MARY WARREN and OTHERS.

Mary Warren is willing that the mesne profits due to her and her nephews and nieces, the children of the late Lord Tara, should be given up, provided that the arrears of the £10 a week allowed to her and them pending restoration be paid up as from the date of our Restoration. They are moved thereto by the amount of their debts. You shall take steps to pay this sum upon the passing of a release of the kind indicated. *P.* ¾. *S.P. Dom. Signet Office V. pp.* 126-7.

19 Feb. Council Chamber. Dublin. PROCLAMATION by the LORDS JUSTICES.

Proroguing the present Parliament till 4 March next. *P.* ½. *Entry. Overwritten by the* Lords Justices, *with note of printing, &c.* [*see above, proclamation of July* 31, 1661, *No.* 2]. *S.P. Ireland* 309, *p.* 47.

19 Feb. Whitehall. The KING to the LORDS JUSTICES for JOHN, LORD KINGSTON.

Lord Kingston, who had bought several lands in Ireland from adventurers, soldiers and transplantable persons, has resigned some of these to George, Lord Strabane, Sir William Dougan or Dungan, Sir Henry Talbot, Thomas Harman, Esq., and other persons restorable to their former estates by our Declaration of 30 November last —without any reprize as yet given him. We have thought well to provide in the Bill for Settlement for reprisals to him of equivalent lands in the cos. Dublin, Kildare and Cork, and for his repurchasing such lands as were set out in the ordinance commonly called the doubling ordinance. To this end you shall give speedy order to our Surveyor-General to survey and return lands in the baronies of Coolock, Newcastle, Uppercross and Balrothery, co. Dublin, and in the baronies of Clane Salter [Clane and Salt] and Naas, co. Kildare, similar in value to those which Lord Kingston has lately given up; and shall cause a grant of *custodium* of such lands to pass under the Seals of the Exchequer to Lord Kingston, granting him the lands from May 1 last, until such time as he be reprised. Rents shall be reserved out of the lands as if they were let to adventurers or soldiers. If any of these lands have been granted as cautionary reprizes these grants shall be dissolved. *Other details. Pp.* 1¾. *S.P. Dom. Signet Office V. pp.* 123-5.

21 Feb. Whitehall. SAME for THOS. CLERKE.

Directing that, if the facts in his petition (enclosed) prove true, a re-grant be made to him of Moyry Castle and the lands therewith, which were granted by James I. to Anthony Smith and which Clerke purchased from Richard Smith. *P.* ¼. *Ibid. p.* 144.

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21 Feb. Whitehall. NOTE of the COMMISSION to the DUKE OF ORMOND.

To be Lord-Lieutenant and Governor-General of Ireland, with all the powers, privileges, &c., allowed to Thomas, late Earl of Strafford, dated 14 February, 1662.

Also note of the Commission to the Earl of Strafford as Lord-Lieutenant, dated 13 January, 1639. He had the power of appointing a Lord-Deputy, but such Deputy not to issue any of His Majesty's money by his own warrant without the hands of the Master of the Wards, the Chief Baron and Chancellor of the Exchequer, the Principal Secretary and Sir George Radcliffe, or of any two of these. *P.* ⅔. *Endd. S.P. Ireland* 310, 14.

24 Feb. Whitehall. The KING to the LORDS JUSTICES for SIR ROBERT STEWARD or STEWART.

Sir Robert Stewart is a prisoner for a debt of £2,000, having become surety for payment of this sum which was due for provisions supplied for the King's service to his own regiment and those of Sir William Stewart and Sir Audley Mervin. You shall insert in the next money bill sent over here a clause providing for the prompt payment of this sum to Sir Robert Stewart. *P.* ½. *S.P. Dom. Signet Office V. pp.* 125-6.

25 Feb. Whitehall. SAME to the EARL OF ANGLESEY [Vice-Treasurer] for the EARL OF CLANRICARDE.

Directing him to pay an allowance to the Earl until he be restored to his estate. *P.* ½. *Ibid. p.* 186.

Also entries of same. *P.* ½. *S.P. Dom. Entry Books III. p.* 26, *and IV. p.* 96.

Same. SAME for WM. BARKER.

Barker has petitioned for a market and two fairs at Glyn, co. Limerick, and shews that they would be good for trade. If upon the return of a writ *ad quod damnum* you find that there is no objection to granting such a fair and market, you shall grant them. The market shall be every Wednesday and the fairs on the second and Tuesday in May and second Tuesday after Michaelmas—each lasting for two days. *P.* ⅔. *S.P. Dom. Signet Office V. p.* 246.

Same. SAME for choosing a Speaker for the House of Lords in Ireland.

In the absence, owing to sickness, of the present Speaker (the Archbishop of Armagh), you shall appoint a person to take his place. *P.* ½. *Ibid. p.* 127.

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25 April. Whitehall. The KING to the LORDS JUSTICES for RICHARD BULKELEY, of Dunlavan [Dunlavin].

Bulkeley states that Dunlavin town lies near the mountains in co. Wicklow, that there is a great want of markets and fairs in that part of the country, and that Dunlavin is well situated for such a fair. You shall grant him the right to hold a fair there every Wednesday, and to hold two fairs there on each of two days, on the 2nd Tuesday in May and the 2nd Tuesday after Michaelmas, each lasting for two days, if the writ *ad quod damnum* be returned without any damage being proved. Rent of 20*s*. reserved. *P.* 1. *S.P. Dom. Signet Office V. p.* 129.

Same. SAME to the LORDS JUSTICES concerning their allowances.

Directing that they have all the allowances formerly given to themselves and the late Earl of Mountrath as Lords Justices, to be equally divided between them. This direction is given in order to clear up some doubts which have arisen as to the effect of their Commission of 23 December last. *P.* ½. *Ibid. p.* 145.

27 Feb. Council Chamber, Dublin. ORDER by the LORDS JUSTICES and COUNCIL.

On 7 November last we issued a proclamation continuing certain persons as collectors and receivers of the quit-rents due to the King in their respective counties. We then said that we should have no further need of the Commissioners appointed for that service, but now find we shall need collectors for it as receivers of the half-yearly payments due next Easter which are wanted for the speedy meeting of the needs of the army.

[*Here follow* lists as in Proclamation of 7 Nov., 1661 (*above p.* 460), except that Sir Richard Lane is named as collector only for the baronies of Rathcline and Shrule, co. Longford.]

These collectors are respectively to enter into bonds before two Justices of the Peace of the county in which they are responsible, in double the sum designed for that collection, to Sir James Ware, to the King's use, with condition to pay truly into the Exchequer and account for such sums as they shall receive [from this collection]. The bonds shall forthwith be returned to the Auditor-General as soon as they shall have been entered into with sureties. A collection of the half-yearly rents due at Easter shall now be made subject to our instructions of February 16, and steps shall be taken to secure that payment is made by April 1, and to hold meetings for that purpose, of which the collectors shall forthwith give notice. Before April 30 they shall send in a duplicate under their hands and seals showing the lands, the rents payable and the persons liable therefor, as was prescribed by our former Proclamation. The collectors may take 1*s*. in the £ for their expenses. *Other provisions* similar to those in the proclamation given above p. 460. *Pp.* 8. *Entry. S.P. Ireland* 309, *pp.* 48-50.

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— Feb. DRAFT of the KING to the EARL OF ANGLESEY [Lord Treasurer] for the EARL OF FINGALL.

Directing him to pay £100 a month to Fingall, in accordance with a grant made in August last, according to the King's Declaration. This payment has fallen into arrears. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 109.

MARCH, 1662.

General date DOCUMENTS RELATING TO THE CASE OF COLONEL JOHN FITZPATRICK.

1 March. Copy of Petition of Col. Fitzpatrick, showing that:—

The King, on a report of the Lord Steward and Lord Chancellor of Ireland showing the fidelity with which petitioner served the Royal cause, ordered the Lords Justices to restore petitioner to his estate, and that when any part of it was in the hands of adventurers and soldiers, they should be given reprisals. A considerable part of petitioner's ancient patrimony is in the hands of "Col. Stubbers, one of the halbertiers that assisted the execrable murder of your sacred father," and is exempted by the King's Declaration.

Petitioner prays for so much of his estate as is or was in Stubbers' possession, and that the remainder of the land possessed by Stubbers be given as reprisals to those who occupied any other of petitioner's lands. *P.* ½. *Endd. S.P. Ireland* 310, 15.

Copy of Order.

Referring to the above petition to the Marquis of Ormond and Lord Chancellor Eustace. Dated 13 Nov., 1660. *P.* ⅛. *Followed by—*

Copy of Report by Ormond and Eustace upon the foregoing.

They find that he served so actively against Cromwell's party that they were glad in 1651 to "article with him" that he should enjoy all the estate whereof he was seized. He adhered to the peace made by the King with the Irish and afterwards went to Spain with a considerable party, which he offered to bring to the King for his service. He should be restored to his lands (usual clauses for reprisals, &c., suggested) notwithstanding any acceptance by his wife or agents—unauthorised by him—of lands in Connaught. *P.* ½ *in all p.* ⅔. *Endd. Ibid.* 16.

Copy of the King to the Lords Justices.

Giving directions in favour of Col. Fitzpatrick in accordance with foregoing report. Dated at Court at Whitehall, 22 Nov., 1660. *Two copies, each p.* ⅔, *one endd. Ibid.* 17.

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Copy of further petition of Col. Fitzpatrick to the King.

Refers to fact that the King has given order for petitioner's restitution. Petitioner is not mentioned in His Majesty's general Declaration, and this may occasion some impediment in executing the King's letter. He prays that order may be given to the Lords Justices to execute that letter in spite of the absence of petitioner's name from the general Declaration. *Two copies each, p.* ⅔. *Endd. S.P. Ireland* 310, 18 and 18A.

The King to the Lords Justices for Col. John Fitzpatrick.

It appears from the report of the Duke of Ormond upon Fitzpatrick's petition that he has been decreed as restorable to his estate in Ireland, but he has not yet been restored. He shall be allowed £150 a month till he be restored, this grant to date from 1 August last. The sum shall be paid from the profits of rents reserved on reprisal lands. *Pp.* 1¼. *S.P. Dom. Signet Office V. pp.* 130-131.

And entry of same. *P.* 1. *S.P. Ireland* 308, *p.* 126.

This concludes the documents relating to this case.

1 March. Whitehall. The KING to the LORDS JUSTICES for JAMES WOLVERSTON, of Stillorgan, co. Dublin, and FRANCIS WOLVERSTON, of Little Newton in the same.

Directing that they be preferred to the tenancy at moderate rents of such of their lands, now in the King's hands, as are not in the hands of reprisable persons. *P.* ½. *S.P. Dom. Signet Office V. p.* 136.

3 March. SAME for SIR JOHN CROSBY, BT., and JAMES ALLEN.

Directing that, in answer to their petition, they be restored to the tenancy of such of their lands, being not in the possession of reprisable persons, as Sir John was dispossessed of by the late usurped powers, or as were settled in remainder on James Allen after the issueless death of John Allen, of St. Wolston's, Esq. *P.* ¾. *Ibid. p.* 137.

General date DOCUMENTS RELATING TO THE CASE OF COLONEL RICHARD GRACE.

5 March. Petition of Col. Grace to the King, showing that:—

The King, on the report of Sir Maurice Eustace, recently granted to Lieut.-Col. Wm. Hamilton the wardship of the body and lands of John, son and heir of John Coghlan, of Streamstown, King's Co., deceased.

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The greatest part of these lands were in the possession of Gregory Clement, lately attainted. These lands are now in the hands of adventurers and soldiers, whereby the petitioner may be deprived of the benefit of the grant.

Petitioner prays that Col. Hamilton may have possession of such lands as lie in the King's hands and that reprisals may be given for the remainder, and such remainder restored to petitioner. *P.* ½. *S.P. Ireland* 310, 19.

Further petition of the Same, showing that:—

Although the petitioner is a person specially named in the late Declaration to be restored and was always loyal to the late King, and should, according to the letters of 7 February be restored, yet he is kept out of his estate.

He prays for such a payment out of the rents of *custodium* lands —to run from the date of the aforesaid letter to the date of his restoration—as the King shall think fit. *P.* ½. *Ibid.* 20.

The King to the Lords Justices for Col. Richard Grace.

He shall have £100 a month from 7 February, 1661, till restored to his lands in accordance with the King's letters of that date. Col. Grace is restorable and has served well in Ireland and beyond the seas. *Details, &c., as in the letter of* 1 *March, for Col. Fitzpatrick. Pp.* 1½. Dated 5 March, Whitehall. *S.P. Dom. Signet Office V. pp.* 132-3.

Also entry of same. *P.* 1. *S.P. Ireland* 308, *p.* 127.

This concludes the documents relating to this case.

5 March. Whitehall. The KING to the LORDS JUSTICES for CHRISTOPHER ARCHIBOLD, of Timolin, co. Kildare, and CHRISTOPHER WOLVERSTON, of Newcastle, co. Wicklow.

Directing that they be preferred, at moderate rents, to the tenancy of their lands now in the King's hands. *P.* ½. *S.P. Dom. Signet Office V. pp.* 135-6.

Also draft of similar letter for Archbold only, directing the Commissioners for Claims in Ireland to restore him to his estate. *P.* ½. *Undated. Endd. S.P. Ireland* 310, 21.

6 March. Whitehall. SAME for SIR RICHARD and SIR HENRY INGOLDSBY.

Directing that, until the Act of Settlement is passed, they be allowed to possess quietly several lands within the mile line of the

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Shannon and contiguous thereto, and their house and garden in Limerick. The King's letter of 21 October last may otherwise possibly cause them some trouble. *P.* ½. *S.P. Dom. Signet Office V. p.* 135.

7 March. Whitehall. The KING to the LORDS JUSTICES for the EARL OF ORRERY.

An old payment of 100 marks a year has been paid to the Presidents of Munster for house rent. Though formerly paid by *concordatum*, this payment was in the Earl of Strafford's time put on the profits and perquisites of the Provincial Court of Munster. It shall now be paid by the older method. *P.* ¾. *Ibid. p.* 134.

Also entry of same. *P.* ½. *S.P. Ireland* 308, *p.* 128.

7 March DRAFT of WARRANT to SIR WM. COMPTON and OTHERS.

Directing them to issue from the stores in the Office of Ordnance to such persons as the Lords Justices desire, 600 muskets with matchlocks, 400 pikes, 12 partisans and 25 drums, with the King's arms on them, for use in the King's Regiment of Guards in Ireland. *P.* ⅛. *Entry. S.P. Ireland* 308, *p.* 129.

7 March. Whitehall. SAME concerning COINING in IRELAND.

We have thought fit, on a report from the Lords Justices, to grant to Sir Thomas Vyner, Bt., Robert Vyner, our goldsmith, and Daniel Bellingham, of Dublin, goldsmith, the right to coin small silver coins to pass current there; and in pursuance thereof we desire you to pass a patent to them in the following terms:—

"The minting, coining and uttering of small silver money hath been found to be of great and general use and benefit to our people of the realm of Ireland as well amongst tradesmen for the exchange of moneys in the course of their several trades, as amongst other sorts of people, the scarcity whereof is very prejudical unto them" especially to the poor. The Lords Justices have recommended the institution of a mint for coining silver coins between groats and fourpenny pieces or coins of less value in Dublin. We therefore direct that a mint shall be established for coining these coins in some convenient place in the city of Dublin and that the Vyners and Bellingham, who have served our cause loyally, shall have the sole right of working such mint, with the offices of master and worker, warden, comptroller, assay master, and the smaller offices as may be necessary. The Chief Governor of Ireland for the time being shall fix the fees which the officials of the mint are to receive. Without our express licence no other silver pieces shall be coined in Ireland except half-penny pieces having on one side a harp, and on the other a crown; penny pieces with the effigy of our self

or our successors, and a figure to denominate the same on one side and the harp on the other side; two-penny pieces with our effigy, &c., on one side and the "harp crowned" on the other; three-penny pieces with the effigy and title, &c., but with the motto on the harp side "oblectat et reperat," and four-penny pieces or groats with the same obverse and reverse as the three-pennies. There shall also be privy marks on the coins which shall be changed from time to time to prevent counterfeiting; and the coins shall be made of such silver only as is imported into this country or of foreign silver, and of the same fineness as English coins. The silver shall be fixed and assayed in Ireland in the manner adopted at our Mint at the Tower of London. The proportion shall be such that 1 oz. of half-pennies be coined to every 2 oz. of pence, 2 oz. of two-pennies, 3 oz. of three-pennies and 4 oz. of four-pennies "in every pound being 12 oz. Troy weight of standard silver." Every lb. of standard silver shall be in tale £3 10*s*. of coined silver with the "allowance or remedy" of six pennyweight under or over in every pound for the "sheering and sizing" of the same; and "for the fineness, the remedy of two pennyweight better or worse in every pound weight of standard silver; that is to say 11 oz. 2 dwt. fine and 18 dwt. alley in every lb. of troy weight," which said small money so minted, coined and made, we ordain shall pass as current in Ireland. No person shall be obliged to receive more than 2*s*. in the £ [of his debt] in such small silver. We forbid all others to make such silver coins, or any others, in Ireland, or to use engines for the same, or to use or utter in Ireland small foreign silver or small silver coins minted for use in other parts of our dominions, and either now made or hereafter to be made, excepting the small silver coins which in January, 1649, and since, were and have been current in the country. Penalties of forfeiture and fine, &c., for breach of this order [*details*]. Half the fines collected in penalties shall go to the Crown and half to the aforesaid grantees.

The grantees may at any time hereafter, taking a constable with them, enter any "ship bottom, vessel, boats, house, shop, warehouse, or any other place" within or without liberties, where they have cause, to search for illicit coins, and may arrest and carry away such coins, if they are discovered. This grant shall last for 21 years, and the grantees shall pay us 12*d*. out of every lb. troy weight of sterling silver minted or coined in Ireland. They shall keep this sum without accounting for it, and shall [therewith] pay for all workmen, engines, tools, coals, &c., required in the mint. Except this 12*d*. per lb., they shall have all the profits of the process of coining to their own sole use; and shall issue as much coin as they think right to the counties, cities, corporate, towns, boroughs, &c. All mayors, justices, sheriffs, &c., shall endeavour that this money be dispersed and uttered through the country. They shall also assist the grantees in all lawful manner. Clauses for further assurances, indemnity, &c. *Pp.* 11½. *S.P. Dom. Signet Office V. pp.* 153-164.

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8 March. Whitehall. The KING to the LORD TREASURER for the EARL OF CLANRICARDE.

Confirming the order for payment to Lord Clanricarde, lately made by the Lords Justices of Ireland. It has been made for some months and shall be continued till the Earl is restored to his estate. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 128.

10 March. Whitehall. The KING to the LORDS JUSTICES for THOS. SOUTHWELL, of Castlematres [Castlematrix], co. Limerick.

Directing that he be made a baronet. *P.* ½. *S.P. Dom. Signet Office V. p.* 138.

Also another entry of same. *P.* 1. *S.P. Ireland* 308, *p.* 129.

Same. SAME for SIR THOS. CLARGES.

Sir Thomas purchased several lands and houses in the town and co. of Galway, from Thomas Whitcombe, John Scriven, Richard Smith, and Richard Hawkes, all of the city of Gloucester, as appears by indentures dated 14 and 22 May, 1658. This title is invalid, as it was only derived from an Act made in a pretended Parliament called by the unlawful authority of some of those unjust powers that usurped our Crown and Government; so that the said Sir Thomas Clarges will be thereby much impoverished, except he is granted these lands. We are determined to make him the grant accordingly, but this cannot be safely done until the Bill for settlement of Ireland is passed. We therefore direct that he or his agents shall receive the rents of these lands pending the passing to him of a confirming grant. Clauses for execution. *Pp.* 1½. *S.P. Dom. Signet Office V. pp.* 142-4.

12 March. A BRIEF of the DEFENCE made to justify the peace concluded in Ireland in the year 1648, notwithstanding the objections raised to invalid the same.

It is first objected against the said peace that it was a mere force on the King.

Answer. No such force was used. In 1647 certain agents were sent to France to consult with the Queen and the then Prince of Wales for sanctioning the peace, the King being then in restraint.

At that time there was no town or place in the King's hands, so that there was nothing against which force could be used. On the contrary the Catholics used force against some of their own party, who unadvisedly opposed the cessation then made with the Lord of Inchiquin; and the object of the cessation was to bring the Catholic forces into line with the King's interest. Its object was to help to get King Charles I. out of restraint, and it was made by his authorised agents. Your Majesty (King Charles II.) recognised this peace and the loyalty of your Irish subjects; and it was they who first declared you King.

The second objection against the peace is that it was broken by the proceedings of some of the clergy met at Jamestown and by the disobedience of some towns.

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Answer. This was only the meeting of a few men, met without any authority. The Commissioners of Trust, authorised by the Lord Lieutenant, expressed their detestation of the said proceedings, and the officers of the army publicly did the same. The assembly at Loughreagh, which met by the authority of the Lord Lieutenant, protested against any attempt to take away, or entrench on, the King's authority. The chiefest of the clergy joined in this protestation.

After the meeting at Jamestown the Lord Lieutenant wrote and declared that it was a meeting of but a few factious clergy and that the majority of the Irish nobility and gentry were loyal. As the papers of the Irish, like their estates, were taken from them by the usurper, they must appeal to the Lord Lieutenant to verify this statement. The Lord Lieutenant left this authority in the hands of Lord Clanricarde, whom the nobility and gentry obeyed. When his Excellency departed, only Limerick and Galway remained in the King's hands and the counties of Galway and Clare, the other parts of Connaught being waste. Munster had been lost through the defection and betrayal of Inchiquin's army, which happened before the meeting at Jamestown.

The third objection is one of disobedience made against Waterford; Limerick and Galway.

Answer. Each of these has made particular answers, by which their ancient services to the Crown appear. They admit that certain factious parties were disloyal, but show that in the end these cities accepted garrisons and stood out to extremity. Other towns have certainly been loyal.

After the Lord Lieutenant's departure, the Catholics, under Lord Clanricarde, opposed the usurper. Your Majesty approved this opposition by letters written in 1650 and 1651, as a valuable diversion in your favour. This caused the Catholics to reject very good terms offered them by Ireton, inasmuch as they did not wish to release his troops for service against the Royalists in England. They continued resistance till the towns were taken, after long sieges, and until the Marquis of Clanricarde had to retire to the mountains with his party, and until your Majesty licensed them to make terms for themselves.

In fine, the peace of 1648, dissolved the [Catholic] Confederacy and placed all the Catholics under the King's sovreignty. If any persons have since offended they must be proceeded against according to law, but the innocent must not be deprived as well as the nocent. Your Majesty would certainly take measures by law against any persons who now rose in arms within your kingdom; and should punish those who did not adhere to the peace, if indeed they are to be punished, in the same way. The innocent should not, however, suffer for the guilty. Sodom would have been spared if ten persons had been found in it; and it is hoped that your Majesty, whose mercy is well known, will spare the adherers—if not the non-adherers—to the peace, and restore them their estates by the present Act of Settlement without any reprisals, provisoes, &c. *P.* 1. *Printed. Underwritten,* "Read before the Council 12 March, 1661." *Endd. S.P. Ireland* 310, 22.

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12 March. Whitehall. The KING to the LORDS JUSTICES for LUKE BATHE, of Drumcondra. co. Dublin.

Bath reminds us of our order of 16 Nov., 1660, directing that he should be restored to his father's lands, and prays that, as there is some difficulty about passing the said lands, he may be put into present possession of them. You shall prefer him to the tenancy of such of his lands as are in our hands and not occcupied by reprisable persons, at such rent as you think fit, the rent to be cancelled if judgment be given for him in the end. *P.* ⅓. *S.P. Dom. Signet Office V. p.* 168.

14 March. DRAFT of WARRANT to SIR WM. COMPTON, "Master of the Ordnance."

Directing him to issue to such persons as the Earl of Mountalexander, "Master of the Ordnance" shall direct, the following stores:—

1,200 barrels of corn powder.
1,000 firelocks with catches.
500 carbines with catches, belters, and swivels.
600 cases of pistols with holsters.
5,000 collers with bandoliers.
— rich partisans.
64 gilded battleaxes.
64 firelocks with "cartages," belts, and swivels.
40 seasoned elm timber square planks of 18ft. long, 2ft. broad, and 8 inches thick.
40 do. of 18ft. long, 22in. broad, and 6in. thick.
40 do. 18ft. by 20in. by 6in.
30 pair of elm "naves" of 20in. in length and "21in. over."
20 pair do. 10in. long and 20in. over.
30 dozen of "elm fellows" of 7in. thick and 2ft. 9in. long.
20 dozen ditto 5in. thick and 2ft. 9in. long.
20 brass moulds to cast leaden shot.

P. ½. *Entry. S.P. Ireland* 308, *p.* 130.

Same. The KING to the LORDS JUSTICES for themselves.

Directing, in consequence of a dispute which has arisen in the Court of Exchequer, that forfeited recognizances be reckoned as among the bonds chargeable with the £10,000 which, in virtue of the King's order of 15 Oct., 1661, is to be paid to the Lords Justices. *P.* ⅔. *S.P. Dom. Signet Office V. pp.* 138-9.

Also another entry of same. *P.* ⅔. *S.P. Ireland* 308, *pp.* 130-131.

Same. Entry of pass to the Bishop of Elphin to go to Ireland from whence he came employed as a Commissioner from the House of

1662.

Peers of that Kingdom, and to take with him all his household stuff, trunks, goods, horse, and coach ; and two saddle horses. *Six lines. S.P. Dom. Entry Books V. p.* 211.

24 March. DRAFT of WARRANT to the ATTORNEY or SOLICITOR-GENERAL.

We have assigned £100,000 for service of Ireland out of the £1,260,000 granted us by Parliament, and Robert Viner, our goldsmith, has undertaken to advance immediately a great part thereof and the rest at other times suitable to us. We direct you to prepare a grant to pass the Great Seal giving Viner full authority to receive all the sums which shall be due to us under the aforesaid Act of Parliament out of Northamptonshire, Worcester, Warwickshire, Coventry, the city of Derby, Salop, and Leicester, for the next 18 months. These sums will together £130,100 odd. He may keep, free of charge, the first £100,000 that comes in of this money and nothing shall be charged on the fund until he shall have received £130,100 odd from it. The Court of Exchequer shall do all things necessary to make this grant effectual. Viner's receipt for the same to be a good discharge to those receivers who pay him. *Confirmative clauses. Pp.* 1½. *Entry. S.P. Ireland* 308, *pp.* 131-2.

15 March. Whitehall. The KING to the LORDS JUSTICES for LUKE BATHE, of Acarne [Athcarne], co. Meath.

Directing that he be made a baronet in the usual manner. *P.* ½. *S.P. Dom. Signet Office V. p.* 144.
Also note of same. *S.P. Ireland* 308, *p.* 133.

17 March. Council Chamber, Dublin. PROCLAMATION by the LORDS JUSTICES and COUNCIL.

"*Whereas* Popish priests, friars, Jesuits and others of superstitious orders derived from the see of Rome have been found by woeful experience, as in all former rebellions so in the late horrid rebellion in this kingdom, to have been principal incendiaries of and actors in those rebellions and seducers of the people in disobedience and disloyalty against His Majesty and his Government in this his kingdom:" and *whereas* in December last we had information from various parts of the kingdom which induced us to believe that these and other disaffected Irish were plotting to disturb the peace of the kingdom, and *whereas* we in consequence, with the advice and desires of both Houses of the Irish Parliament issued orders for the arrest of such Popish priests, friars, &c., and for their detention till our further orders should be given, and *whereas* some few of such people have been so arrested and might well, such is our previous experience of them, still remain in custody ; yet we, being anxious to extend the King's clemency to them, order :—

1662.

That all such persons, except those charged by particular prosecutors with treason, felony, or breach of the peace, shall be released. They shall first enter into bonds before the sheriffs of the different counties, in sums to be fixed by such sheriffs, not to act against the laws. These bonds to be sent to this board. *P.* 1½. *Entry. Overwritten, &c., as the proclamation of July* 31, 1661, No. 2. *S.P. Ireland* 309, *pp.* 51-2.

17 March. Entry of Warrant to the Clerk of the Crown to carry these three bills for Ireland :—(1) For the Bishops to let leases for 61 years ; (2) for union and disunion of parishes ; (3) charges and subsidies to the King—to the Great Seal to be passed ; and to deliver them to the Bishop of [*blank*] to be transmitted to Ireland. *Four lines. S.P. Ireland* 308, *p.* 133.

18 March. Whitehall. The KING to the LORDS JUSTICES for LORD KINGSTON.

On 19 February last we directed you to grant a *custodium* of lands in Dublin and Kildare to Lord Kingston, in order to compensate him for certain other lands which had been restored to George Lord Strabane, Sir Wm. Dongan, Sir Henry Talbot, Thomas Harman, and others, the said letters being pursuant to the order made for Lord Kingston in the Act now under consideration for settlement of Ireland. We directed you to make inquiries in order to see that Lord Kingston received lands of equal value to those which have been taken from him, and not of any higher value. Inquiries have lately been made which would be highly prejudicial both to us and Lord Kingston if lands should be granted according to such valuation, and inquiries have, under the new act, to be made concerning the value of land given in reprisal which will take some time. In order that Lord Kingston may have the said *custodium* passed to him, so as he may not want the year's rent due out of such lands for this year commencing at May-day last past, as in our said former letter is directed, and that no prejudice thereby may happen to us by the uncertainty of the value, you shall order Lord Caulfield, Sir Robert Meredith, Sir John Stephen, Surveyor-General, or his deputy, and Thos. Browne . . . to compare the value of the lands which Lord Kingston is giving up with the value of those which he is getting. The *custodium* shall be granted to him so as to give him his due, and no more, any surplus subsequently discovered being paid by him into the Exchequer. The rent mentioned in the grant of Feb. 19 being reserved to the Crown. *Other details. Pp.* 1½. *S.P. Dom. Signet Office V. pp.* 139-140.

Undated.[1] The SAME for the EARL OF CORK.

Recites his loyal services and directs that, in compensation for the adventurers' lands and which he has had to give up he be

(1) Entered next foregoing (18 March).

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granted a *custodium*, under the Broad Seal of the Exchequer, of the lands of Kilbally [Churchtown?], Clement, Ballymoresheene [Ballymorisheen], and Kilcoran, situate in the "baronies of Inchiquin, Imokilly, and Cundowes [Condon's], co. Cork." They are mixed up with his estate and are forfeited, and mostly belonged to his father. He shall have the *custodium* till the lands are fully set out to him subject to the Declaration. *Pp.* 1½. *S.P. Dom. Signet Office V. pp.* 141-2.

18 March. Whitehall. [Secretary Nicholas] to the Lords Justices.

I received yours of 20 Feb. on March 6, and have sent you the King's letters. I have not troubled you with many letters as I am assured you have from better hands news of all that is of interest here. The Lord Lieutenant is preparing for his journey and will probably start about the beginning of May. *P.* ½. *S.P. Ireland* 308, *p.* 86.

20 March. Draft of Warrant to Sir Wm. Compton for issuing arms, &c., for Ireland.

Similar to that of 7 March, 1662, *q.v.* *P.* ½. *Ibid. p.* 133.

24 March. Entry of Warrant to the Earl of Sandwich, Master of the King's Wardrobe.

Directing him to deliver to the Duke of Ormond yellow taffety and "trimson" for twelve colours for a regiment of foot; and that he cause badges to be painted and gilded thereon and deliver the same parcels of taffety at the same rates as they were furnished for the King's regiment of foot; likewise that he deliver twelve ensigns' staves with gilt beads, and twelve pair of tassels, crimson and gold, and that he cause the King's badges to be painted and gilded on 25 drums, as they are painted on the drums of the King's regiment of foot. *P.* ½. *S.P. Dom. Entry Book V. p.* 227.

24 March. Council Chamber, Dublin. Proclamation by the Lords Justices and Council.

By a Parliament held in Ireland in the 12th year of King Edward IV., it was enacted at the request of the Commons, and owing to the dearth of money and grain in the kingdom, that no grain should be "loaded out of the land" unless the pack fell below 10*d.* in value, on pain of forfeiture of the grain and of the ship in which it was loaded. In order that none may plead ignorance of this law we now publish and declare that we expect all to obey it, and not to load such grain except on giving a bond in twice its value, that it is being shipped to some port in England, Scotland or Wales. *Pp.* 1½. *Entry. Overwritten, &c., as the proclamation of* 31 *July*, 1661, *No.* 2, *q.v.* *S.P. Ireland* 309, *pp.* 54-5.

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26 March. Whitehall. The KING to the LORDS JUSTICES for JOHN BURNISTON.

Directing that, pending the passing of the bill of settlement he have the *custodium* of the lands of Tymahoe [Timahoe], Garroke [Carrick] [1] and Giltown, co. Kildare, in place of certain encumbrances purchased by him from adventurers and soldiers [which he has given up]. The grant of the *custodium* to be passed under the Seal of the Court of Exchequer. *P.* 1. *S.P. Dom. Signet Office V. p.* 146.

And two drafts of same. *P.* ⅔. *Endd. S.P. Ireland* 310, 23 & 23A.

27 March. Whitehall. SAME for SIR DANIEL O'BRYAN, of Cartigehoult [Carrigaholt], co. Clare.

Directing that he be granted a Viscountcy and the title of Viscount Clare. *P.* ⅓. *Ibid. p.* 145.

Also entry of same. *P.* 1. *S.P. Ireland* 308, *pp.* 133-4.

27 March. ENTRY of the KING [to the LORDS JUSTICES] for SIR PAUL DAVIES or DAVIS.

Directing them to insert in the Act of Settlement a clause confirming to Sir Paul Davies all the towns and lands of Landanstown formerly belonging to William Fitzgerald attainted, Barrestown formerly belonging to Christopher Eustace attainted, and Johnstown and Palmerstown formerly belonging to James Flatsbury, do., all in the co. Kildare, at the rents reserved on the adventurers' lands in Leinster by the Act of 1642, or at the rent reserved on Oct. 23, 1641, whichever be the higher. *P.* 1. *S.P. Ireland* 308, *pp.* 134-5.

29 March. Whitehall. SAME for SIR HANS HAMILTON, of Morrell, co. Armagh.

Directing that he be made a baronet, in the usual form. *P.* ½. *S.P. Dom. Signet Office V. p.* 147.

29 March. SIR HENEAGE FINCH to LORD [CONWAY].

I desire to hear from Lord Conway, and hope to be able to write oftener now "the whole Irish affair being at an end." I cannot write on your private affairs for I have not seen him this month and shall not do so during the Easter holidays as I have to spend these in examining the engrossed bills for Ireland, which I take with me to Kensington for privacy's sake. I hope my brother will soon, by your favour, be so reconciled to his employment as to become a perfect Irishman. *P.* ⅔. (*Hol.*). *Enclosures not preserved. S.P. Ireland* 310, 24.

(1) Suggested by Mr. Flood.

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About 1 April. COPY of the ESTABLISHMENT for CIVIL AFFAIRS in IRELAND to begin from 1 April, 1662.

It is necessary that the expense of our revenue on civil functionaries should be regulated, in order to prevent private persons from gaining at the expense of the public and for other reasons. Pensions and fees have grown greatly in recent times and now charges have arisen to which the late rebellion contributed very largely. We are anxious to relieve our subjects in this matter, and are determined to bring our payments within the probable compass of our receipts, to establish civil justice and government, and maintain our "limited forces" in their present strength and fullness. The present arrangement may be varied as our charges grow less and our income increases.

List follows, showing the sums of the yearly salaries of the officers of the Courts of Justice in the several provinces, of the officers of State, Customs, Excise, creation money and other perpetuities and particular payments payable after 1 April, 1662.

The following are constant fees—*i.e.* those due to—

The Earl of Anglesey, Vice-Treasurer and General-Receiver.
Sir Robert Meredith, Chancellor of the Exchequer.
John Bysse, Lord Chief Baron of the Exchequer.
Sir Richard Kennedy, Baron, and Thos. Dungan, Esq., 3rd Baron of the same.
Sir Audley Mervin, King's Sergeant-at-Law.
Sir William Domvile, Attorney-General.
Philip Ferneley, Esq., the King's Chief Remembrancer.
Sir James Ware, Auditor-General—his ancient fee and augmentation.

Court of Exchequer :—

Sir Allen Broderick, Surveyor-General.
Patrick Tallant, Esq., Escheator of the Province of Leinster.
The Escheators of Ulster and Connaught.
Henry Warren, Second Remembrancer.
John Temple, Solicitor-General.
Nicholas Loftus, Clerk of the Pipe.
Roger Moore, Esq., Chief Chamberlain.
Robert Kennedy, Second Chamberlain.
Maurice Keating, Comptroller of the Pipe.
Sillvanus Stirrop, Usher of the Exchequer—fee and allowance for ink.
Thomas Lea, gent., Transcriptor and Foreign Opposer of the Exchequer.
Robert Ardagh, Sumonister of the same.
Philip Carpenter, Sargeant-at-Arms.
John Burniston, Marshal of the Four Courts.
Sir Theophilus Jones, Clerk of the Pells.
John Exham, Clerk of the first-fruits and twentieth-fruits.
Philip Jones, Crier of the Court of Exchequer.

The total of these is, £1,745 3*s.* 4*d.*

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Court of King's Bench :—

James, Lord Santry, Chief Justice of the King's Bench.
Sir Wm. Aston, 2nd Justice ,, ,, ,,
Thomas Stockton, 3rd ,, ,, ,, ,,
Sir Wm. Usher, Clerk of the Crown in the said Court.
Total £1,207 10*s.* 0*d.*

Court of Chancery :—

Sir Maurice Eustace, Lord Chancellor.
Sir John Temple, Master of the Rolls.
Dr. Dudley Loftus and Thomas Caulfield, Esq., Masters of the Chancery.
George Carleton, Clerk of the Crown.
Same as Clerk of the Hanaper, with an allowance for paper and parchment.
Total £1,244 10*s.* 0*d.*

The Court of Common Pleas :—

Sir James Donnellan, Lord Chief Justice.
Sir Jerome Alexander, 2nd Justice, and
Robert Booth, Esq., 3rd Justice of the same.
Sir Walter Plunkett, Protonotary of the Court.
Total £1,057 10*s.* 0*d.*

Star Chamber :—

Clerk of the Court and Marshal of the Court.
Total £20 0*s.* 0*d.*

Court of Wards :—

Thomas Pigott, Esq., Master of the Wards.
Sir Richard Kennedy, Attorney of the Court.
Nicholas Loftus, Surveyor of the Court.
Richard Newcomen, Auditor.
Total £451 13*s.* 4*d.*

Officers and others attending the State, as follows :—

Sir Paul Davis, Secretary of State, for his fee and for intelligence.
Same as Clerk of Council, his ancient, fee and allowance for paper and parchment.
Richard St. George, Esq., Ulster King-at-Arms.
Richard Carnay, Athlone Pursuivant-at-Arms.
George Wakefield and Wm. Roe, Pursuivants.
Thomas Lea, Keeper of the Council Chamber.
Six trumpeters and a kettledrum.
Total £871 15*s.* 10*d.*

The Charge of Circuits :—

The Chief and other Justices of Assize in every of the five Circuits twice a year.
Total £1,000.

Incidents :—

Robes for the Judges, viz., three in the Exchequer, three in the King's Bench, three in the Common Pleas, the Master of the Rolls and the three King's Counsel.

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Liberates under the Seal of the Exchequer yearly to the Chancellor, Chief Remembrancer, Auditor, Clerk of the Pipe, Usher, Second Remembrancer, Chief Chamberlain, Second Chamberlain, Clerk of the Common Pleas, Summonister, Comptroller of the Pipe, and Customer of Dublin for wax, tape and parchment.

Rent of a house for the receipt and keeper of same.

Singers of Christ Church for singing in the Exchequer and praying for the King each term.

Pursuivants of the Exchequer for carrying writs, paper and parchment.

Impost of wines to the Nobility, Bishops and Councillors who reside in Ireland.

Total £508 13*s.*, besides the impost of wines.

Provincial Officers:—

Wm. Hallsey, Chief Justice of the Province of Munster.
Henry Bathurst, Attorney of the Province.
George Carr, Clerk of the Council.
The Sergeant-at-Arms there.
Sir James Donnelan, Kt., and Chief Justice of Connaught.
A second Justice of the same.
Oliver Jones, Attorney of the Province; Sir James Cuffe, Clerk of the Council there and Thomas Elliott, Sergeant-at-Arms.

Total £355 0*s.* 0*d.*

Officers of the Customs:—

Dublin:—Thomas Worsop, customer; Stephen Smith, comptroller; Wm. Scott, searcher.
Wexford:—John Wiborrow, customer; John Poulden, searcher.
Waterford and Ross:—Paul Stephens, customer; Maynard Christian, comptroller; Robert Taylor, searcher.
Youghal and Dungarvan:—Nicholas Stoute, customer; Richard Mayers, comptroller; Christopher Oliver, searcher.
Co. Cork:—Richard Scudamore, customer; Robert Williams, searcher.
Kinsale:—Robert Southwell (c.); John Browne (s.).
Dingle:—Walter Ware (c.)
Limerick:—John Whalley (c.); Valentine Chetwood (comptroller); John Lynch (s.).
Drogheda, Dundalk and Carlingford:—John Oglesby (c.); Samuel Bulteel (comp.); Hugh Montgomery (s.).
Carrickfergus:—Roger Lyndon (c.); Samuel Abley (s.).
Newcastle, Dundrum, &c.:—Bernard Warde (c.), of Newcastle, Dundrum, Killyleagh, Portferry, Donaghadee, Bangor and Hollywood; Robert Warde, searcher of same and of Belfast, Olderfleet, St. David, Whitehead, Ardglasse, Strangford and Ballinclogher.

Total £271 17*s.*

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Officers of the Excise and contingent charges, £5,469 0*s*. 0*d*.

These sums are to be distributed and apportioned by the Lord Lieutenant or Chief Governor.

The Commissioners General of the Excise are to be but five in number and to have 1*d*. in the £ of all moneys received for Customs and Excise.

Creation money:—

List of creation money awarded to the Earl of Ormond, the "Earl" of Antrim, the Earl of Westmeath, and 20 other peers whose names are given.

Total £309 11*s*. 8*d*.

Where creation money is given to one and the same person for two different honours, that sum shall be paid which is granted with the highest title.

Perpetuities:—

The Provost and Fellows of Trinity College, Dublin, according to their patent of 12 August, 1612 (£388 15*s*. 0*d*.)

The Dean and Chapter of Christ Church, according to the grant of 12 June, 1604.

The Archbishop of Dublin for proxies due to him out of divers churches belonging to the late monasteries of Thomas Court, St. Mary Abbey and St. John of Jerusalem, near Dublin.

The Bishop of Meath out of the manor of Trim.

Total £456 2*s*. 2*d*.

Payments [sums given] are to be made to the following during their grants, but are not afterwards to be made to another:—

Sir Maurice Eustace, Lord Chancellor.

Richard, Earl of Cork, Lord Treasurer.

Nicholas Loftus, Clerk of the Pipe; Maurice Keating, Comptroller of the same.

Sir Theophilus Jones, Clerk of the Pells.

Bryan Jones, Esq., Auditor of the Foreign Accounts and Prests.

Edward Cooke and John Westley, Masters of the Chancery.

Sir Richard Kennedy, Attorney of the Court of Wards.

Jeffry Malbone, keeper of the rooms as also of the robes, hangings and clock in the Castle of Dublin.

John Crooke, King's Printer in Ireland.

John Naylor, second justice of Munster.

Thomas Maule, Esq., Surveyor of the Customs in Ireland.

Stephen Smith, Comptroller.

Col. Marcus Trevor, Master of the Game.

Sir George Lane, Clerk of the Lords House and Keeper of the Records of Bermingham's Tower.

Total (without Sir Geo. Lane's fee) £1,399 10*s*. 0*d*.

Pensions and Annuities:—

The Countess of Tyrconnel, Christopher Roper, Daniel O'Neile, Edward Fitzgerald, Sarah King, Jane Carey, Susanna Johnson, Jephson Maguire, Sir Robert Meredith.

Total £1,329 10*s*. 0*d*.

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The Commissioners of Accounts, for allowances for the yearly accounts to be taken by them, and to their clerks.
Total £285 10*s*. 0*d*.

Payments for Extraordinaries by concordatum:—

For freights and transportations, carriage of letters and other expenses, gifts and rewards, sea service, repairing and upholding sufficiently the King's houses, maintaining the forts, finishing of needful undertakings of that kind begun in apt places but not finished, erecting of more strengths of the like kind in fit and needful places, diets and charges in keeping of poor prisoners and sick and maimed soldiers in hospitals, printing, riding and travelling charges, prests upon accounts, &c., not to be exceeded without leave first had from the Privy Council in Ireland.
Total £9,000 0*s*. 0*d*.

No payment or allowance shall be made by concordatum, but by warrant drawn by the Clerk of the Council in Ireland and signed by the Lieutenant, Chancellor, Treasurer, Vice-Treasurer, Chief Baron and Secretary, or any four of them, of whom the Lord Lieutenant to be one. Any payments made in contravention of this rule shall be surcharged upon the Lord Lieutenant, &c.

Total civil expenditure of Ireland (without the import of wines, allowance to five Commissioners of Customs and Excise and Sir George Lane's fee (*see above*) - - - £26,955 3*s*. 11*d*.
Of this there is Constant - - - £14,940 13*s*. 1*d*.
Temporary - - - £12,014 10*s*. 10*d*.

These payments shall not be exceeded; nor shall temporary payments be made permanent. A yearly account of payments to be sent to the Treasurer of England by the Irish Auditor-General.

Thirteen long pages. Sums given for each item. Endd. *S.P. Ireland* 310, 24.
Also other copies. *Pp.* 14½ *and* 11½. *Endd. Ibid.* 24A & 24B.

MILITARY ESTABLISHMENT for IRELAND to begin from April 1, 1662.

Gives the sums allowed to the following:—

The Lord Lieutenant for his fee, diet, allowance for fifty horse, £1,000 a year in lieu of cess, £235 a year in lieu of 325 beeves formerly paid out of the co. Cavan and £240 in lieu of the tithes of Dunboyne formerly paid him.

Also for his fee as general of the army, captain of a troop of horse, colonel, captain of a foot company and for a guard of sixty halberdiers, also for the captain and lieutenant of his said guard.
Total £10,999 odd.

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General officers.

Thomas, Earl of Ossory, Lieut.-General of the Horse (to cease *post mortem* or at determination of his grant).
Sir Henry Tichborne, Kt., marshal for himself a trumpeter, and retinue of thirty horse.
A Commissary General of the Horse (to cease *post mortem*, or on determination of grant to John Lord Kingston).
The Quartermaster-General of the Horse at 10*s*. a day, to cease, &c., as above (Sir Thomas Armstrong).
The Muster-Master General and Clerk of the Cheque.
Six Commissaries of the Musters.
Two corporals of the field—Capt. Beverley Usher and Capt. Jones.
The Advocate-General of the Army.
The Surgeon.
Total £13,499 odd besides the fee to both corporals of the field.

Officers provincial:—

President of Munster for fee, diet and thirty horsemen.
President of Connaught for same.
Provosts Marshals of Leinster and Munster, Connaught, and Ulster, and for twelve horsemen each for each of the said Provosts Marshals.
Total £3002, odd.

Constables and warders of—

Dublin Castle (constable and 14 warders and a porter), Limerick (same but twenty warders); Athlone (same and 14 warders); Carrickfergus (constable and 10 warders); Charlemont (constable and 15; this to cease after determination of Lord Caulfield's grant or on his death).
Total £844 odd.

The Master of the Ordnance and officers, viz.:—

Master and a lieutenant, cornet and eighteen horsemen, lieutenant of the Ordnance (to cease after death of Albert Coningham, or determination of his patent).
Engineer, overseer, surveyor, and director-general of fortifications, to cease after, etc., of Capt. John Paine and Capt. Hullam.
Capt. Hugh Magill, controller of the ordnance.
Sundry ordnance officers, viz., in Leinster, a master gunner, fire master and petardier (one person), master gunner's mate and gunner (one); in Dublin Castle, one extra gunner, a clerk of the magazines in Dublin, one gentleman of the ordnance, a carpenter, a gunsmith, a wheeler, five matrosses, three wagoners and a cooper.
Similar charges, with details of establishment, for Duncannon, Kilkenny, Athlone, Galway, Sligo, Limerick, Cork, Youghal, Kinsale, Crookhaven, Valentia, Isle of Arran, and Isle of Innishbuffin, also Charlemont, Derry, and Carrickfergus.

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Horse:—

For thirty troop of horse, each consisting of a captain, lieutenant quarter-master, three corporals, two trumpets and sixty-seven private horsemen.

Foot:—

For sixty companies of foot each of a captain, lieutenant, ensign, two sergeants, three corporals, and eighty-six privates.

Temporary payments to Sir Henry Tichbourne, Sir Theophilus Jones, scoutmaster-general, and the Constable of Hillsborough.

Particular payments to the governors of Clare, Dublin Castle and Sligo fort.

The temporary payments to cease on death of the present patentees or determination of their patents.

Total (without the fees due to two corporals of the field), £160,977 13*s.* 10*d.*

Pp. 8. *S.P. Ireland* 310, 25. *Also two other copies. Pp.* 6½ *and pp.* 8. *Endd. Ibid.* 25*a and* 25*b.*

2 April. Whitehall. The KING to the LORDS JUSTICES for THOMAS BRAMHALL, son of the ARCHBISHOP OF ARMAGH.

Directing that he be made a baronet. *P.* ½. *S.P. Dom. Signet Office V. p.* 149.

And note of same. *S.P. Ireland* 308 *p.* 136.

3 April. Whitehall. SAME for THOMAS LUTTRELL, of Luttrellstown, co. Dublin.

Directing that he be not molested in his estate under pretence of the order of 21 Oct. last, or by proceedings thereupon for seizing or setting the forfeited lands and securities designed for arrears of commissioned officers before 5 June, 1649. *P.* ½. *S.P. Dom. Signet Office V. p.* 150.

Same. SAME for JOHN HODDER.

Wm. Boles has petitioned on behalf of Hodder who was lately Commissary of Victuals in the fixed magazine at Cork, and has asked for payments of food supplied to the King's army in 1642 and afterwards. He shall be satisfied out of the lands set apart for satisfying those who advanced arms, money, &c., for the King's forces in the beginning of the rebellion. Clauses for execution. *P.* ½. *Ibid. pp.* 150-151.

2 April. Whitehall. ENTRY of ROYAL WARRANT to the DUKE OF ORMOND.

Directing him to issue commissions to the following noblemen and gentlemen in the King's regiment of Guards in Ireland. When vacancies occur he is to fill them up by commissioning such persons as he thinks fit:—

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Captains:—

Capt. Nicholas Armorer, Captain of His Majesty's own foot company.
Lord Richard Butler, Col. of the Guards.
Sir Wm. Flower, Kt., Lieut.-Col. of the Guards.
Sir John Stephens, Kt., Sergeant-Major of the Guards.
Lord John Butler, Lord Cullan, Col. Francis Willoughby, Lieut.-Col. Brent Moore, Sergt.-Major Edward Billingsley, Col. Burges, Major Thos. Cupper and Captain Hungerford.

Lieutenants:—

Wm. Hamden, Captain Edward Jones, Thos. Flower, Capt. Richard Broughton, Capt. Fotersby, Capt. Toby Barnes, Capt. Wm. Wheton, Capt. Thos. Bradston, Capt. Wm. Constable, — Alborough, Capt. Bledwell.

Ensigns:—

Bromley, Thomas Smith, George Blunt, Wm. Little, Henry Harbert, Fielding, John Carlton, John Vernon, John Byron, Wm. Gilbert, Carlisle Treswell and Mutas.

In all, p. 1. *Entry. S.P. Ireland* 308, *p.* 135.

2 April. Dublin. SIR FRANCIS ANGIER to SECRETARY SIR HENRY BENNETT.[1]

You will get herewith the draft bill concerning Lord Clanmalier's estate, which is drawn so equally to all interests that, after its return here it cannot, I am sure, want a quick passage through both Houses, unless you make some alterations in it. "Upon first view perhaps it will appear something severe to you to expect the possession of the estate only after the soldiers and adventurers are first reprised; but when you shall consider that, without that condition, it is impossible for the Bill ever to pass the House of Commons here, I hope you will not account it an hardship, especially as it is in the Commissioners' power, who are all your zealous friends, not only to remove the rubbe, but also, soon after the passing of the Bill here, to give you possession," and to my knowledge they have reprisals in reserve for your service. I hope you will not alter the part of the bill which concerns me. It has the consent of the Lord Lieutenant, and Dick Talbot has agreed to it. You will be the gainer by the exchange. *Details.* Last night I had some discourse with Lord Kingston on the bill and he asked me to request that you would put in a proviso [*terms not stated*] in his favour. I hope you will do this, as the proviso will not damage you, and Lord Kingston can help you much in the House of Commons.

P.S.—The purchase I recommended you has already been engaged in by my Lord Cork and my [Lord] Arran, who have made such a profitable bargain that already they are offered £3,000 for it. *P.* ¾. (*Hol.*). *Add. S.P. Ireland* 310, 26.

[1] Addressed to him as "Principal Secretary of State," though he did not become so till October 1662

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3 April. Dublin. PATRICK BRIAN to SECRETARY BENNETT.

Recommending Mr. Tempest the Lord Chancellor's secretary, who is bringing over Sir Henry Bennett's bill touching "Clanmalira." Similar in character to foregoing. Promises constant service. *P.* ½. (*Hol.*). *Add. Endd. S.P. Ireland* 310, 27.

5 April. Whitehall. The KING to the LORDS JUSTICES for THOMAS PARR, of Barry's Court, co. Cork.

Directing that he be pardoned for the felonious killing of Mathew Batts. His bail and outlawry shall be cancelled. *P.* ½. *S.P. Dom. Signet Office V. p.* 150.

7 April. Whitehall. SAME for EDWARD, BISHOP OF LIMERICK.

We have provided by our Declaration of 30 Nov., 1660, and otherwise, that the arrears of those who served King Charles I. before 5 June, 1649, should be stated according to the establishment allowed by Charles I. and the Parliament in 1640, and we declared our intention to provide accordingly for all the general officers who could make claims under this arrangement. Edward, now Bishop of Limerick, was chaplain-general to the Leinster forces at 20*s.* a day, thought his pay was not in the establishment, and he is now owed much arrears. These shall be paid, his rate of pay being reckoned at 20*s.* a day; and debentures shall be given to him for satisfying him under the terms of the Act of Settlement, which is now under consideration. *P.* ½. *Ibid. p.* 148.

Same. SAME for MICHAEL, BISHOP OF CORK.

Similar to foregoing, in favour of the Bishop of Cork, who was chaplain-general to the forces in Munster at 20*s.* a day, a sum which may be not put down in the establishment. Debentures shall be given for satisfying him out of suitable lands and houses near Cork, and shall be passed to him under the Act of Settlement now in consideration. *P.* ½. *Ibid. pp.* 148-9.

Same. SAME for the CORPORATION OF BANDONBRIDGE.

Our Declaration of Nov. 1660, provided for the restoration of the Corporation of Bandonbridge to certain lands formerly set by the usurper for considerations mentioned in our instructions of 19 February, 1661. These lands belong to Donogh, Earl of Clancarty and are, by our Declaration and by special orders, to be restored to him, and have been so restored. You shall get from our Surveyor-General a list of lands in Ibercon [Ibrickan] and Barrett's barony worth £200 a year net, and shall grant these to the Corporation of Bandonbridge, to hold them from May next till they be reprised, subject to the Act of Settlement. *Other details.* *P.* ½. *Ibid. p.* 149.

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7 April. Whitehall. The KING to the LORDS JUSTICES for SIR JAMES DILLON.

Granting him the rights of the tenants who were liable, before the rebellion, to pay tithes, upon impropriations or impropriate rectories held by them, to the Chief Governor, Presidents of Munster and Connaught, Lord Chief Justice of Court of Chief Place, Chief Baron of the Exchequer and Master of the Rolls. The tenants have forfeited their rights by the rebellion. The rents or port-corn payable to these officers by him shall be double those formerly paid. *P.* ¾. *S.P. Dom. Signet Office V. pp.* 257-8.

8 April. Whitehall. DRAFT of ROYAL WARRANT to the [*blank*].

Directing him to insert in the Bill of Settlement a clause for confirming to Theobald Lord Taaffe, Earl of Carlingford, all the lands, &c., in co. Louth, of which he was possessed on 1 Aug., 1661, and set out to him by way of *custodium* in compensation for the estate of Collooney, co. Sligo; and also the lands of which Christopher Taaffe, of Braganstown, Theophilus Taaffe, of Cookstown, or others to their use, were seized on 23 Oct., 1641. These lands shall be held at the old rents. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 186.

10 April. Whitehall. The KING to the LORDS JUSTICES for SIR THOMAS ALLEYN.

Sir Thomas, who is seal master for leather tanned in Ireland, petitions showing that he cannot execute his office, as there is no Act of Parliament enabling [anyone] to seal leather sufficiently tanned and to seize that which is insufficiently tanned, or to receive fees for executing that trust, or to redress the mischiefs which daily occur in the tanning of leather. You shall consider whether a bill is necessary to obviate these evils and to assist Sir Thomas in carrying out the work of his office, and inform us accordingly. If such bill be necessary, shall submit it to us with all convenient speed. *P.* ¾. *S.P. Dom. Signet Office V. pp.* 170-171.

Same. SAME for SIR ROBERT WALSH, of Balligunner, Kt. and Bt.

In answer to his petition and reflecting upon his loyal services and sufferings (he having been commander of a brigade in Ireland), we direct that he be restored to any lands, towns, &c., of which he, his father Sir James, or their tenants were dispossessed by the late usurped power. *P.* 1. *Ibid. p.* 208.

12 April. Whitehall. [SECRETARY NICHOLAS] to the EARL OF ORRERY.

I am always anxious to serve you and to prove my "passionate desire" to do so. The Bill of Settlement is now fully agreed upon *Six lines. Entry. S.P. Ireland* 308, *p.* 86.

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About 10 April. PETITION to the KING of SIR CHARLES HAMILTON, KT., showing that:—

The several lands in the annexed certificate[1] are in the King's hands, having been forfeited in Tyrone's rebellion, being parcels of the manor of Freemore, in the co. Londonderry [? Freughmore, co. Tyrone]. They have been by several leases demised to Tristram Beresford and two of the King's footmen at several yearly rents, amounting to £20, and these demises are now nearly expired. The lands are enjoyed by Beresford, who was always disloyal. He prays for a lease of the said parcels at £30 a year for 31 years. *P.* ¾. *Underwritten with*—

Order, dated 10 April, Whitehall, signed by Nicholas,[2] referring the petition to the Duke of Ormond, and with a memorandum to the effect that, on May 17, the Duke recommended that the petition should be granted. *P.* 1. *Endd. S.P. Ireland* 310, 28.

16 April. Whitehall. The KING to the LORDS JUSTICES for the EARL OF MOUNT ALEXANDER.

By the Act of Settlement[3] the lands which were formerly Sir Thomas Allen's, or would have descended to Robert John, William and James Allen, and not set out to adventurers, &c., were granted to the Earl of Mount Alexander, and provision was also made for reprising him for any such lands which he should not be able to get. You shall grant him reprisals equal in value to the lands above mentioned, and the lands given in reprisal shall be held by him at the usual favourable rents. *P.* ½. *S.P. Dom. Signet Office V. p.* 151.

Also a draft of same. *Pp.* 1½. *Endd. S.P. Ireland* 310, 29.

Same. SAME to the LORD LIEUTENANT for MR. PIGOTT and SIR WILLIAM FELOWES.

Charles, son of Barnaby Dunn, of Ballybrittas, Queen's Co., was an open rebel and joined the Nuntio's party. His father, Barnaby, was a Protestant and loyal and suffered much by the rebellion. He was seized of the lands of Ballybrittas and died seized of them, and of other lands, in October last, when they descended to his son Charles. They are therefore in our hands and we direct you to lease them—after you have appointed a commission to inquire into and report on their extent and value—to Thomas Pigott, Master of the Wards and Lieut.-Col. Sir Wm. Flower, lieut.-col. of our Guards in Ireland for 31 years from Michaelmas next. *Details. P.* ⅔. *Ibid. p.* 152.

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(1) Not preserved.

(2) Although Bennett is in an earlier letter addressed as "principal Secretary of State."

(3) The full title of this Act is "An Act for the better execution of His Majesty's gracious Declaration for the settlement of his Kingdom of Ireland." It is hereinafter called, for brevity, the "Act of Settlement."

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17 April. ENTRY of WARRANT to SIR HENEAGE FINCH, Solicitor-General.

Desiring that according to a certificate presented to the King under the hands of the Lieutenant-General of Ireland and others of the committee for transacting the affairs of that kingdom made in favour of and on petition of Sir Robert Stewart, he insert an additional proviso in the bill of £20,000, or any other bill that shall be transmitted from Ireland, for the payment and satisfaction of £2,000 to Sir Robert, for which sum he stands engaged and is at present a prisoner, for certain provisions provided to the regiments commanded by Sir Wm. Stewart, Sir Audley Mervin and himself. *P.* ½. *S.P. Dom. Entry Books VII. p.* 5.

18 April. Whitehall. The KING to the LORDS JUSTICES for COLONEL MILO POWER.

Ordering that a grant of lands of the value of £500 a year be made to Colonel Power in order to make good the grant made to him on 31 July, 1661, of £500 in houses and lands in Ireland. This grant was in recognition of his services and of those of his brother, Richard Power. Clauses for execution. *P.* ½. *S.P. Dom. Signet Office V. p.* 152.

19 April. Whitehall. [SECRETARY NICHOLAS] to the LORDS JUSTICES.

I at once made the King acquainted with the contents of your letter of the 9th instant and also with the order of the House of Commons of 4 March, concerning the bill transmitted for your Lordships for raising £30,000 for the Duke of Ormond. I assure you this business is acceptable to the King, whom the Duke of Ormond has served so well. I have never known a bill more cheerfully and unanimously received at the Council Board. *P.* 1. *S.P. Dom. Entry Books III. pp.* 39-40.

And another entry. *S.P. Dom. Entry Books IV. pp.* 107-8.

21 April. Whitehall. The KING to the LORDS JUSTICES.

Directing that the Earl of Orrery and Lord Massereene shall collect the half-year's rent due from the adventurers, and promised by them in return for the securing of their estates, which shall come in from the counties of East and West Meath, Wexford and Kilkenny, and that this sum shall be applied to meeting the losses of the Earl of Clarendon, Lord Chancellor of England. The Earl shall not be informed of the intentions of the King towards him in this matter until the time has come when he may receive the effects of this bounty. *P.* 1. *S.P. Ireland* 308, *p.* 137.

Same. SAME for the EARL OF INCHIQUIN.

Directing that he be paid £5,000 out of the sums which, under the Declaration of 30 Nov., 1660, and the Act of Settlement shall come in on Nov. 1 next from the adventurers and soldiers out of

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the half-year's value of the land set out to them in reward for their services and sufferings. *P.* ½. *S.P. Dom. Signet Office V. p.* 165.
Also entry of same. *S.P. Ireland* 308, *p.* 138.
And draft copy. *P.* 1. *Endd. S.P. Ireland* 310, 30.

21 April. Whitehall. The KING to the LORDS JUSTICES for the DUKE OF ORMOND.

In 1646 the Duke and George, Earl of Bristol, contracted with Claude du Moulin, the Resident of the French King in Ireland, to carry over a regiment of foot for that King's service. They received in consideration therefor the sum of 12,000 *livres Tournois*. Owing to circumstances, the Duke and Earl could not make good their contract with the French agent or restore him his money, which had been spent in our service in Ireland. The Resident had, however, to account for this money to the King of France; and his nephew now offers to take £E500 in quittance of all liability to him under the aforesaid contract. You shall allow £500 to Francis du Moulins out of the customs of such wines as he or his assigns shall import into Ireland. *P.* 1. *S.P. Dom. Signet Office V. pp.* 165-6.

Same. ORDER by the KING in COUNCIL.

Present,
The King's Majesty.
The Lord Chancellor, Lord Privy Seal, Duke of Ormond and thirteen others [names given].
The Act for abolishing the Court of Wards in Ireland was read, and suspended till further inquiry.
There shall be no retrospect as to the Court of Wards there beyond the Act of Oblivion.
Mr. Secretary Nicholas to insert a clause to this effect in the Instructions for the Master of the Wards in Ireland. *P.* ⅔. *Signed* John Nicholas, *and endd. in* Sir Edward Nicholas' *hand. S.P. Ireland* 310, 31.

22 April. Whitehall. The KING to the LORDS JUSTICES for WENTWORTH, EARL OF KILDARE.

The Earl's petition represented to us that the customs, subsidies, &c., of Strangford and Ardglass and of the creeks, &c., thereof in co. Down granted to Gerald, Earl of Kildare, on 7 Oct., in the seventh year of King Henry VIII., are now descended to him; but that they were seized on a judgment of *nihil dicit* in the Court of Exchequer in the time of the Earl of Strafford's government and are still in our hands. We had intended to insert a proviso in the Act of Settlement reserving the premises to the Earl, but are informed that our customs and revenue will suffer much if so important a grant

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remains in private hands. We have decided to grant the Earl an honourable compensation "more suitable to our princely bounty than his right," and have also considered the great destruction of houses, &c., belonging to Wentworth, Earl of Kildare, in the time of the rebellion, and the inadequacy of his estate to support the dignity of "so ancient a family and so eminent a peer of that kingdom." You shall consider the Earl's right and any compensation already paid him and shall compensate him with any sums not exceeding £10,000. The sum given him shall be placed in trust in the hands of John, Earl of Clare, Richard, Earl of Cork, Roger, Earl of Orrery, Oliver, Earl of Tyrconnell, and Robert Boyle, Esq., and shall be spent in paying the portions of the Earl's sisters and defraying his debts. *Pp.* 2. *S.P. Dom. Signet Office V. pp.* 204-5.

And another entry of same. *Pp.* 1½. *S.P. Ireland* 308, *pp.* 139-40.

22 April. Whitehall. DRAFT of the KING to the DUKE OF ORMOND.

Directing him to pass patents giving to Col. Marcus Trevor the title and honours of a baron of Ireland as Baron Trevor of Rose Trevor [Rostrevor], co. Down. *P.* ½. *Entry. Ibid. pp.* 188-9.

23 April. Whitehall. The KING to the LORDS JUSTICES for GEORGE HAMILTON.

Granting him for life, in return for his loyal services, all fines, &c., which may come in under the Act of Charles I. forbidding the ploughing with horses by the tail or burning the corn in the straw. *P.* ½. *S.P. Dom. Signet Office V. p.* 153.

Same. ENTRY of SAME for LORD RICHARD BUTLER.

Directing that Lord Richard, the second son of the Duke of Ormond, be raised to the rank of an Earl with the title of Earl of Arran, Baron Butler of Cloghrennan, and Viscount Tullow, co. Carlow; with remainder, in default of him, to his brother, Lord John, and his heirs. *P.* ⅔. *Entry. S.P. Ireland* 308, *pp.* 140-141.

Same. The KING to the LORDS JUSTICES for LORD HOWTH.

Lord Howth desires a lease of the lands of Crinstown, Labanstown and Nicholstown, co. Louth, which are forfeited to the Crown by Christopher St. Laurence, who had a life interest in them, the reversion being in Lord Howth. In recompense for Lord Howth's services to the Royal cause we grant this petition if it be not inconsistent with our Declaration. *P.* ¼. *S.P. Dom. Signet Office V. p.* 168.

And entry of same. *P.* ½. *S.P. Ireland* 308, *p.* 141.

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23 April. COPY of ORDER of the KING in COUNCIL.

Present,
The King's Majesty.
The Duke of York.
The Lords Chancellor, Treasurer, Privy Seal, and sixteen other members of the Council (names given).
Ordered, that the payment of the military and civil lists in the establishment of Ireland begin from April 1. Secretary Nicholas to insert the same in the said establishment. *P.* ½. *Endd. S.P. Ireland* 310, 32.

Same. DRAFT of the KING to the DUKE OF ORMOND for WILLIAM FITZGERALD.

Directing that he be appointed examinator to the Commissioners appointed for executing the Declaration for Settlement of Ireland. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 142.

Same. ENTRY of DOCQUET of WARRANT to the LORD TREASURER.

Directing him to require the officers of such ports as the Duke of Ormond shall embark at with his train for Ireland to suffer him and his goods to embark without custom or inspection. *Three lines. S.P. Dom. Entry Books VII. p.* 18.

24 April. Whitehall. The KING to the LORDS JUSTICES for LORD KINGSTON.

Confirming the grants in Lord Kingston's favour of 19 Feb. and 8 March last, whereby lands were ordered to him pending the passage of the Act of Settlement. He shall have a *custodium* of the lands in cos. Dublin and Kildare, valued by the Commissioners appointed for that purpose; all other grants *non obstante*. *P.* ½. *S.P. Dom. Signet Office V. pp.* 167-8.

Same. SAME for SAME.

Lord Kingston has given up certain of his lands in deference to our order in favour of George, Lord Strabane, Sir Henry Talbot, Sir Wm. Dungan, Thomas Harman, and other restorable persons. While others have enjoyed their lands he has been at a loss for two years. There is also due to the late Sir Gerald Lowther money for his mission to Oxford to inform King Charles I. of the state of Ireland, and for his pension as Chief Justice of the Common Bench in Ireland. These sums he has bequeathed to Dame King *alias* Meredith, and Dame Meredith has assigned them to her brother, Lord Kingston. By the Act of Settlement the adventurers are to pay the Crown half a year's rent on their land,

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as it was rented in 1659, and the soldiers are to pay one year's rent of their lands, so that unless some provision is made for Lord Kingston he will not receive any benefit from his lands for three or four years. For his relief inquiry shall be made into the value of the lands so possessed by Lord Strabane, Sir Wm. Dungan, Sir Henry Talbot and Thomas Harman, and other restorable persons, according to the directions given for that purpose in the said Act, what these lands let for at the restoration, and how much the said rent amounts to from the time of such restoration and possession until reprized as aforesaid; and you shall also give order to our auditor in Ireland to state the account and demand of Lord Kingston of the moneys due to Sir G. Lowther and assigned to him. You shall add these two sums together and discharge Lord Kingston of a part of the year's rent payable to us equal to that sum. If the said year's rent fall short of satisfying the same you shall discharge him from such debts, present or future, to us as will make up the difference. *P.* ⅔. *S.P. Dom. Signet Office V. p.* 167, *and undated.*

And draft of same. *Pp.* 3. *Endd. S.P. Ireland* 310, 33.

And another entry of same. *S.P. Ireland* 308, *pp.* 142-4.

29 April. Whitehall. The KING to the LORDS JUSTICES for the EARL OF INCHIQUIN.

Directing that, with a view to the settlement of the Earl's claims under the Act of Settlement "now under our consideration," his arrears be stated, according to the directions contained in the said Act, out of the forfeited houses, lands, and tenements in the mile line and the city and suburbs of Limerick, and in the liberties thereof, for him the said Earl's best accommodation. *P.* ½. *S.P. Dom. Signet Office V. p.* 169.

Also another entry of same. *P.* ½. *S.P. Ireland* 308, *p.* 145.

29 April. Entry of pass for Lord Muskerry's trunks, &c., with two store horses for Ireland. *Two lines. S.P. Dom. Entry Book VII. p.* 25.

30 April. Whitehall SAME concerning forfeited moneys for wool.

We have granted you our justices and the late Earl of Mountrath £10,000 from the sums paid in fines for transporting wool and other fines and have charged the same fund with payments of £2,000 to Col. Charles Wheeler (24 Sep., 1661), £6,000 to Edward Prodger, Esq. (4 Oct., 1661), and £3,337 18*s.* 9*d.* to Sir Henry Tichborne (14 Oct., 1661). The last grant contained a clause providing that this £3,337 should be a first charge on that fund. The sums shall however, be paid in order according to the dates of the various grants, and there shall be no exception to this rule. *P.* ½. *Ibid. pp.* 169-170.

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30 April. Council Chamber, Dublin. PROCLAMATION of the LORDS JUSTICES and COUNCIL.

"*Whereas* in expectation of conformity to the laws of the land concerning uniformity of common prayer and service in the Church and the administration of the Sacraments, indulgenge [*sic*] to and forbearance of dissenting and non-conforming persons of several persuasions hath been long time used, and whereas there were no proceedings against them for several months, and when the judges in their several circuits found it fit to question those that would not make good use of that clemency, and yet, upon new hopes, all proceedings thereupon were stopped and suspended, and yet the court hath not answered to our expectation, but Recusants, Nonconformists and Sectaries have grown worse by clemency":—

We declare that, in the hope that further clemency may work on those who in the past were misguided, for the time past all offences committed against His Majesty's said laws of uniformity and common prayer and service in the Church and administration of the Sacraments be no further proceeded against. No such indulgence will be given in the future and all judges and magistrates are to see the law rigidly enforced. *P.* 1. *Entry, &c., as preceding proclamations* [*see at July* 31 (*No.* 2) *above*]. *S.P. Ireland* 309, *p.* 56.

April. DRAFT of ROYAL WARRANT to the PROVOST and FELLOWS of TRINITY COLLEGE, near Dublin.

Directing them to admit Theodorus Vesey, scholar of the College, to a Fellowship or, if none be vacant, to admit him on the first vacancy. He is anxious to continue in the College for "further increase in virtue and learning" and the King has given him the grant "for his better exhibition in that behalf." *P.* ⅔. *S.P. Ireland* 310, 34.

Same. SAME to the DUKE OF ORMOND.

Directing him to receive the proposals of Abraham Gowry Granger, to issue such orders as may most conduce to their execution, and, when their object is attained, to settle him in such an estate of land as may be suitable to the Royal bounty and his merit. *P.* ⅓. *Endd. S.P. Ireland* 310, 35.

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1 May. Whitehall. The KING to the LORDS JUSTICES.

Francis, Lord Athenry, and Sir John Bourke have petitioned us on behalf of themselves and others setting forth that Lord Athenry's father, Sir John's father (Richard Bourke), Edmund

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Skerrett, John Donnellan, Mellaghton Kelly, Andrew Kerwan, Teige Kelly, Ulicke Bourke, Edmund Kelly, Nicholas Hannyn, John Laurence and and Andrew Madden, were in 1635, or thereabouts, under the Earl of Strafford's government, empanelled a jury to find a title "to the King to the said county, for which evidence was offered for a title of 300 years, which being so ancient and uncertain, contrary to a possession of 300 years or more, the said jury were not satisfied to find a title as was expected, and were therefore fined in the said Castle Chamber by the said Earl of Strafford in great sums of money." Most part of this fine was paid, but afterwards King Charles I. remitted the remainder. Process has nevertheless been lately issued against the heirs of the said jurymen for payment of the remainder of the fine. You shall take steps to see that these fines are remitted. *Pp.* 1½. *S.P. Dom. Signet Office V. pp.* 175-6.

2 May. Council at Whitehall. ORDER by the KING in COUNCIL.

Directions to go by next post to the Lords Justices of Ireland directing them to stop all actings about coining any sort of silver money by virtue of letters patents alleged to have been lately passed under the Great Seal. *P.* ½. *Signed by* Edward Walker. *Endd. S.P. Ireland* 310, 36.

Same. SAME.

Patrick Archer's petition considered. Mr. Secretary Nicholas to renew the King's letters to the Lords Justices of July last in favour of the petitioner. *P.* ½, *&c., as foregoing. Ibid.* 37.

4 May. SECRETARY NICHOLAS to the DUKE OF ORMOND.

I have herein sent you a copy of the order of the Council Board requiring that stay be made of the coining of small money in Ireland; for that it is alleged that those interested in that business pretend they have the authority to make the alley [alloy] of what they are to coin of less value by 10*s.* in 2lb. weight than silver current in England goes at. I have as yet sent no letter away for staying the coining, but am sending you the letter by His Majesty's order and conceive that, if you think the small coining should be stopped, the act of stopping it would come best from you through the Lord Justices of Ireland. I shall show yours of the first to the King. The Chancellor recommends this course. *P.* 1. *Entry. S.P. Dom. Entry Book I. p.* 49.

6 May. Whitehall. [SECRETARY NICHOLAS] to the LORDS JUSTICES.

The King, having ordered a grant of the dignity of a Viscount to be given to Sir Daniel O'Brian, of Carrighoult [Carrigaholt], co. Clare, desires me to direct you to stay that grant till you shall hear further from him. The Lord Lieutenant being at Portsmouth, &c. The Parliament's intentions to adjourn. *P.* ½. *Entry* [*abbreviated in M.S.*]. *S.P. Ireland* 308, *p.* 86.

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6 May. Entry of pass for Colonel Grace to go to Ireland with his luggage and a coach and six horses. *Two lines.* *S.P. Dom. Entry Books VII. p.* 38.

8 May. The Further Examination of Randal, Marquis of Antrim, taken before Sir Wm. Domvill and Sir John Temple.

The Marquis, being further examined, says that he was acquainted with Ireton when he was commander of the armies in Ireland, and had some correspondence with him, which related only to his own subsistence. He does not remember having ever written to him and denies having known Oliver Cromwell or Michael Jones. He denies having ever given to any of these persons information regarding to the motions or actings of the army which was in Ireland under the command of the now Duke of Ormond. He deposes that some time after Cromwell left Ireland, Ireton wrote some letters of recommendation on the examinate's behalf to the then Council of State in London, but what was contained in them he does not know. He was told by Ireton that these letters would be of advantage to him, and afterwards had similar letters from Fleetwood whilst he was in Ireland. He denies having shown these letters at Chester or between Chester and London to anybody. After his first submission to Ireton at the time of the siege of Carlow, he had a pension from Ludlow and the rest of the Commissioners then governing here of £500 a year. This was afterwards reduced in Harry Cromwell's time to £300 a year, and afterwards wholly withdrawn. Does not know why this pension was given him, but denies that it was for information given to the King's enemies. *Pp.* 2¼. *Signed by* Antrim, and by Sir Wm. Domvill and John Temple. *Endd.* *S.P. Ireland* 310, 38.

10 May. Whitehall. [Secretary Nicholas] to the Lords Justices.

I send you five bills under the Great Seal to pass the Parliament there. The King is anxious that the Bill for four subsidies on the Temporalty should pass before the Bill of Settlement. It is of great import. *Six lines.* *Entry.* *S.P. Ireland* 308, *p.* 87.

12 May. Whitehall. The King to the Lord Lieutenant for Richard, Earl of Barrymore.

The arrears due to him for service before 5 June, 1649, or bought by him, shall be satisfied under the Act of Settlement out of the forfeited lands in Cork city, or, failing these, out of those next to his estate. *P.* ½. *S.P. Dom. Signet Office V. p.* 171.

Same. Same for Same.

The Earl informs us by petition that King Charles I. on 12 Dec., 1626, granted to his father the manors of Barryscourt, Castle Lyons, Buttevant; Tymoleague, Rathbarry and Shandon, to which manors

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there belong several lands known by distinct names, which are not particularly named in the said patents, but included in the general notion of the said manors, as is alleged and specified in the schedule annexed to the alleged petition. We send you the petition and direct that if you find that the lands mentioned in the schedule really belong to the manors above mentioned, you give the Earl a grant by patent of them under the rent and services paid by his father. *P.* 1. *S.P. Dom. Signet Office V. p.* 172. *Followed by—*

Copy of Petition of the Earl of Barrymore.

Contains the request as stated and mentions the names of 205 townlands in the manors of Barryscourt, Castlelyons, &c. *Pp.* 2. *Ibid. pp.* 173-4.

12 May. Entry of pass to Sir George Lane to go to Ireland with his goods, household stuff, &c. *Two lines. S.P. Dom. Entry Book VII. p.* 50.
Also another entry of letter to the Lord Treasurer on the same matter. *Two lines. Ibid. p.* 52.

13 May. Whitehall. The KING to the LORDS JUSTICES for SIR CHARLES HAMILTON.

Directing that he be given a lease of the manor of Freemore, co. Londonderry [? Freughmore: co. Tyrone], lately in the hands of Tristram Beresford, for 31 years at £30 rent. Beresford was granted these lands when they had been forfeited to the Crown by the rebellion of Tyrone, and he has deserved ill of the Crown during the late revolutions. *P.* ⅔. *S.P. Dom. Signet Office V. p.* 175.

Same. SAME to SIR WILLIAM PARKHURST, Warden of the Mint in the Tower of London, for the DUKE OF ORMOND.

You shall hand over to the Duke part of the "trial peeces" of gold and silver in use in the mint in London for coining and made 19 October, 1660, "and are also to provide two pix boxes to be carried over into Ireland by such conveyance as our said Lieutenant shall appoint, with three chief locks unto each of them, the keys whereof are to be kept by you, the Warden, the Master-worker, and Comptroller of our mint within our Tower of London, with a cover also unto each of them over the cleft by which the several coins are to be put into the boxes, and three locks likewise unto each cover, the keys whereof are to be kept by the Warden, Master-Worker, and Comptroller of our mint, which shall be erected in Ireland." The gold and silver coins of Ireland shall be put into one of the said boxes each year, according to the course of the mint, and it shall be locked by the three officers of the mint in Ireland and the coins sent over to be tried by our Assay Master here. *P.* ½. *Ibid. p.* 181.
Also entry of same. *P.* 1. *S.P. Dom. Entry Books VII. p.* 58.

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14 May. RECEIPT by SIR GEORGE LANE, Secretary of State, for the following books from SECRETARY NICHOLAS:—

Subscriptions for lands in Ireland, under the Ordinance of 14 July, 1643.
Same for houses and lands, do. do.
Same for additional forces by sea for Ireland, 1642.
Same for "lands in Ireland."
Same by way of debtor and creditor; an extract of the book of debtor and creditor.
His Honour gave the parties an acquittance on receipt of these. *P.* 1. *Signed by* Lane. *Endd. S.P. Ireland* 310, 39.

14 May. Whitehall. The KING to the LORD LIEUTENANT concerning the erecting of a Mint in Ireland.

We direct you to establish a Mint in Ireland and, in doing so, to govern yourself by the instructions and indentures of the Mint of England, which are sent herewith. You may choose whether you will coin with the hammer or the mill, but if you choose the mill we advise you to be guided by the enclosed agreement which was lately made in our Mint here for coining with the mill. *P.* ⅔. *S.P. Dom. Signet Office V. p.* 177.
Also entry of same. *S.P. Dom. Entry Books IV. p.* 118.

Same. INSTRUCTIONS to the LORD LIEUTENANT for erecting a Mint in that Kingdom.

You are to cause convenient furnaces and buildings for erecting a mint to be built in Dublin and elsewhere in Ireland, as you and the Council think fit, and shall [procure] all tools, utensils and implements to be prepared, which shall be necessary for carrying on that service.
You shall appoint such officers as you think necessary, not exceeding the number of them which exists in the Tower of London. We commit to you the right of appointment and the settling of the amount of fees payable, requesting that you see that what is allowed does not exceed what is allowed in England, but that all possible steps be taken to lessen the charge.
You shall give special directions for seeing that all the moneys coined in Ireland be of the exact standard of those in England, according to the trial pieces sent you by the Warden of the Mint in England and marked "Part of the trial piece within the Tower o London, made 14 October, 1660." The coins shall be made of the same "species" as those of England, and shall be marked in the same way, but with some means of distinguishing them. Our seignorage shall be the same per centage as in England, and shall be modified whenever any changes are made here.

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We have lately sent two pix boxes to Ireland, each with three keys—one of which is to be kept by the Master-Worker, one by the Warden and one by the Comptroller of the Mint of the Tower of London. Each of these has a cover over the cleft by which the several coins are put into them, with three locks to the covers, the keys whereof are to be kept by the Warden, Master-Worker, and Comptroller of the Mint in Ireland. The coins current in Ireland shall be put into one of these boxes on the 24th of March next, and in each following year, and shall be sent over to be tried here at the Mint in the Tower.

The "remedy" is to be allowed not on each pound-weight, but upon each coin, and to be as in England. This is to obviate the practice of melting down. It is to be so whether they coin by way of mill or by hammer. This is to prevent the great inequalities of money "which is the only [cause] to the culling out of the heaviest of the moneys to melt down."

The original or "muster puncheons" [? master puncheons] letters and charges for sinking the irons to be graven here by such chief graver as we shall employ about the coins of this Kingdom. New ones shall likewise be made by him from time to time as need shall require. If the coinage there is by mill and press, then all the dies for coining with in the [that] way to be forged, sunk, graven, hardened and prepared here by our said chief graver, who is to supply the necessary quantity of dies at reasonable rates. *Pp.* 2. *S.P. Dom. Entry Books IV. pp.* 49-51.

16 May. ENTRY of the KING to the MAYOR, ALDERMAN and RECORDER of GALWAY.

Directing them to appoint James Vaughan, D.D., to the post of warden of Galway. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 145.

17 May. Whitehall. The KING to the LORDS JUSTICES for PATRICK ARCHER, merchant.

Confirming to Archer the grant previously made him for payment of several sums which he laid out in the public service and for an allowance, until such sums be paid, of £205 a year, placed on the customs of Waterford. He has not yet been able to get the benefit of this grant. *P.* ¾. *S.P. Dom. Signet Office V. p.* 180.

17 May. ADDITIONAL INSTRUCTION to be observed by the MASTER, ATTORNEY and SURVEYOR of the COURT OF WARDS in IRELAND.

There shall be no retrospection had or made by the Court of Wards for or concerning any wardships, liveries, alienations or intrusions, or for or concerning any profit or benefit accruing or growing due to the King for the same since 23 Oct., 1641; but these charges shall be remitted to those liable to them up to 24 June, 1660. These instructions to be carried out notwithstanding any letters which may have been obtained from us to the contrary. *P.* ½. *Endd. S.P. Ireland* 310, 40.

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17 May. INSTRUCTIONS for our right trusty, &c., the EARL OF ANGLESEY, KT. and BT., Vice-Treasurer and Receiver of all the rents, revenues, compositions, and casualties whatever, and Treasurer at Wars in Ireland.

Your past experience in official positions of trust connected with the Irish revenue "have so perfected your knowledge therein that we suppose you are not ignorant of any matter of moment" affecting our service and the State there. You know at what a great expense our ancestors have been for keeping up an army for the preservation of peace in that kingdom, and what has been formerly prescribed for improving our revenues and lessening our charge by all honourable and fit means. We doubt not of the efficiency of your service in these matters and our father King Charles recognised their value. In order to encourage you to do further services we have appointed you Vice-Treasurer and General Receiver of our rents, &c. [*see* heading]. We send you the following instructions for your guidance:—

1. You shall at once go to Ireland and inform yourself of all our revenues and compositions certain, and obtain and require our auditors there to furnish you with accurate books and rentals. These shall remain with you in order that our certain revenues and compositions may be better answered unto us than they have formerly been.

2. As owing to "the remissness of our former Vice-Treasurer and Receiver-General, together with the negligence or corruptions of the officers of our Exchequer and Sheriffs," many arrears exist of rents, &c., due to us, we warn you not to fall into their errors, but to take steps to collect all our due and growing revenue, certain and casual.

3. To avoid the evils which have occurred in times past we direct that our whole revenue shall be brought into the Exchequer and paid out thence, not disposed of by several hands. All officers of the Revenue now, or, hereafter to be appointed, shall give security to the Chief Baron of the Exchequer to bring in all the sums due from them half-yearly or else be supplanted.

4. You shall assist the Commissioners for arrears to collect old and uncertain arrears; but arrears which are certain you shall call for, and cause to be speedily paid.

5. You shall, in person or by your deputy, attend at all convenient times the places to which our subjects resort for paying their rents, and for their easier despatch, our Clerk of the Pells and two Chamberlains, or their deputies, shall also attend there. You shall by pursuivants or otherwise bring in, or secure payment by those who fail to render what is due to them. Our Deputy and Council shall proclaim that all who do not pay what is due from them will be sued and prosecuted, so that they may see that it is their own fault if this course has to be taken.

6. You shall give receipts, signed by the Clerk of the Pells and at least one of the Chancellors or their deputies, showing the day, amount and nature of payments received. Copies of such receipts shall be entered in the books of the officials.

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7. The same course shall be adopted with regard to our uncertain revenues, "first-fruits or twentieth parts of spiritual promotions, wardships, greenwax or any other casualties."

8. You shall keep books showing the character (certain or uncertain) of the revenue received and the place from which it comes.

9. You and your officers shall take such moderate fees as were prescribed for your predecessors in office in the days of our father, King James[1], by orders given by the Privy Council on 9 February, 1625[1626], on the severing [?] of the office of Treasurer at Wars from the office of Vice-Treasurer and General Receiver. We refer you to these orders, and direct that they shall be published by the Lord Deputy and Council, and observed by you.

10. You shall not pay out annuities or pensions or warrants without a debenture from the officer appointed to write the same, and such debenture first entered by the Clerk of the Pells, to the end we may always know how much of our treasure is remaining in your hands.

11. You shall pay only upon due warrants as heretofore.

12. In every year, within twenty days after the end of Hilary term, you shall hand in your book of receipt and expenditure to the Auditor, and it shall be examined by our Commissioners for Accounts or some of them, including always our Auditor, before the 20th of March following. This will ensure the accounts for each year being kept separate. Such accounts shall be engrossed by our Auditor and declared before our Commissioners at or before the "next "[2] of July following.

13. You shall require the Auditor to make a book showing separately our doubtful and desperate rents and our certain rents, and shall endeavour, to the uttermost of your power, to make such good as are doubtful and to levy them for our use.

14. You shall consider the grants made to different persons from our Crown, and if you find that [by these grants] our revenue has been abated, you shall take steps to recover the revenue so lost. As this course may involve you in legal difficulties, we command our Judges and learned counsel there to give you their help. You shall refer points of doubt or scruple to our High Treasurer here, who will give you an answer according to the needs of our service.

15. You shall make no mistake in entering the names of the lands from which our rents are due. Such mistakes have not only lost us the rents, but the lands themselves.

16. You shall observe past instructions sent herefrom for increasing our profits and the good government of our Exchequer.

17. You shall do your utmost to restrict expenditure; and our Deputy and Council shall help you in that matter. If your advice is neglected, and you think it right to do so, you shall apply to our High Treasurer in England, who will send you the expression of our princely judgment in the matter.

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(1) Showing, perhaps, that these instructions are an old form used in Charles I.'s time; and see end of entry.

(2) The draft mentioned at end of this entry reads "last."

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18. You shall release no fines, forfeited recognisances or any other of our casual revenues, save publicly in open Court of Exchequer in term time, or within six days after, and according to the tenor of commissions issued by us for that purpose to our Vice-Treasurer and General Receiver, Chancellor and Barons of the Exchequer of that Kingdom, &c. [*Details.*]

19. We have learnt by the Commissioners lately sent into Ireland by our father, King James [*sic*], how much the choosing of mean and unfit persons as sheriffs has redounded to our disprofit there. The execution of writs was neglected and the accounts of sub-sheriffs not duly rendered. You, and the Chancellor and Judges of the Exchequer, shall in future draw up the lists of persons fit to be sheriffs, to be presented to the Lord Deputy for his election. The list shall be signed by you, and shall submit three names to the Lord Deputy for each County, from which he shall choose one for each.

Lastly, you shall send us an account from time to time of how you shall proceed in all these matters, that we may see how you conduct yourself in this matter. If you serve well it will "redound to your present reputation . . . . and to your further advancement, whereof (as your gracious master) we will be mindful as occasion shall be offered."

Pp. 8½. *S.P. Dom. Entry Book IV. pp.* 40-47.

Also a draft of similar instructions, slightly different, drawn for Sir Francis Annesly, and containing, besides the foregoing, the following two additional clauses:—

You shall not make payments properly belonging to the account of the wars upon any warrant or *concordatum* of the Lord Deputy and Council, except in time of rebellion or imminent danger. Such "time of rebellion," &c., shall be first declared to exist by our Chief Governor and eight or more of the Council of Ireland, of whom "the Lord Chancellor, Chief Justices, Chief Baron, Master of the Rolls, Principal Secretary for the time being, and Sir John King, our Muster Master of our forces there, to be always four."

Every half-year after you have paid all patentees, and such as are on the Revenue List, you shall deliver to our Treasurer at Wars all such money as shall remain in your hands. You shall get his receipt therefor, and, as soon as may be, certify the Lord High Treasurer of England of all such moneys as you have delivered into his hands for the preceding year.

Pp. 8½. Dated at the Court at Woodstock, 13 August, "in the first year of our reign" [1625]. *Ibid. pp.* 19-27.[1]

19 May. Whitehall. The KING to the LORDS JUSTICES for the EARL OF INCHIQUIN.

By our letters of 29 April last we directed you to satisfy the Earl of Inchiquin's arrears for service before 5 June, 1649, with forfeited lands, &c., "in the mile line in the city and suburbs of Limerick and in the liberties thereof." We have appointed the same lands for satisfaction to various other persons, and those lands may not

(1) The second draft was probably entered and used as a precedent. This was often the case with such documents.

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suffice to meet all the claims upon them. You shall cause one-third of the debt to Lord Inchiquin to be paid out of the first moneys which the soldiers pay, in for one year's or one year and a half's rent "of their respective lands and by our said Declaration designed for the satisfaction of arrears for service before 1649." The other two parts shall be paid out of the securities assigned by our said Declaration for the satisfaction of arrears for service before 1649. *P.* ¾. *S.P. Dom. Signet Office V. p.* 188.

19 May. The KING to the LORDS JUSTICES for the COUNTESS OF MOUNTRATH.

Directing that she and her tenants and servants be preserved in the occupation of the lands she holds until reprisals have been found for her by the Commissioners for executing the King's Declaration. Former possessors of these lands shall not in the meantime be allowed to enter upon them in a disorderly manner. *Pp.* ¾. *Ibid. p.* 178.

21 May, 1662 and 28 Sept., 1661. SAME on behalf of THOMAS PIGOTT and MATHEW LOCK.

Pigott, who is Master of the Wards in Ireland, and Lock, who is Secretary to the Duke of Albemarle, inform us that Edward Carey of the Middle Temple, deceased, purchased in his lifetime certain lands, &c., in the barony of Demeford [Dennifore], co. Westmeath, from adventurers, and that, in his lifetime, he assigned the same to Thomas Cooper and Wm. Rowe for £5,000. Cooper and Rowe made this purchase in trust for the wife and children of Archibald Hamilton, of Scotland, and the £5,000 was given by Cromwell, or other usurped powers, to Cooper and Rowe, to the intent that they should lay out the same in trust for Hamilton's wife and children. This was intended as a reward for Hamilton's treasons, who was executed in Scotland as a spy to Cromwell. Accordingly the assigns of Carey can claim no indulgence under our Declaration or under any Act of Parliament, nor are they capable of receiving the grace and favour designed by us for all other adventurers. We are anxious to satisfy Pigott and Lock and direct you to make a grant to them of these premises, which are "in us" by the attainder of the rebels who possessed them, and have not been duly or fully set out to any adventurer. *Pp.* 1½. Dated 28 Sept., 1661, but with note that it was entered here, 21 May, 1662. *Ibid. pp.* 178-9.

[23 May.] NOTE on the burial of CORNET DAY.

Cornet Day, the highest fifth monarchy man since Harrison and Venner were executed, of whose spirit he was, died lately in the Gatehouse, and is this day to be buried in new ground at the sixth hour. All that love Syon, *i.e.*, those that are against monarchs and magistracy, are requested to accompany his corpse from Glover's Hall to Beech Lane at the hour aforesaid.

There was at Cornet Day's burial above 2,000 people of all sorts, some Presbyterians, very many Quakers, and ministers, and Mr. Carrill, of St. Magnus' at the Bridge; Brag, of Great St. Allhallows; Peirce and Ford, late ministers at Westminster; Brooks, late at Fish Street Hill; old Geffe [?] and others.

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This day from the same place between 5 and 6 there is to be buried the mother of John James who was condemned at the King's Bench bar and executed at Tyburn for preaching treason in Whitechapel. On Saturday, being an anti-Sabbatarian (and doubtless all of that way will be at his burial) this James held it not lawful to acknowledge His Majesty King, and therefore would not petition for his life.

The Anabaptists account not themselves at all concerned as to their meetings in the Act for Quakers. *In all, p.* 1. *Endd. in* Nicholas' *hand with date. S.P. Ireland* 310, 41.

24 May. SIR HENEAGE FINCH to LORD [CONWAY and KILLULTAGH ?].

I cannot thank you enough for your letters and hope that my descendants may be as grateful as I am. I am grateful to you for having taken my cousin Burniston into your protection. It was an honour, and also a charity, for his family is numerous. *Other details.*

There is one, Mr. Seymour, Sir Edward Seymour's son, who, I think, intends to begin a suit against the Earl of Orrery in the Exchequer, touching a fee farm. I have refused to be of counsel for him. *P.* 1. (*Hol.*). *Ibid.* 42.

30 May. Hampton Court. The KING to the LORD LIEUTENANT for the EARL OF ORRERY'S TROOP.

We hear from the officers and soldiers of the Earl of Orrery's troop that divers lands in the barony of Gleneroughty, "the most barren part of the county of Kerry," were set out to them by the usurper's authority for their arrears. The quit rent reserved on these is, they say, too high, and they have not had the allowance which has been made in the survey of other parts of the county where land given in respect of such claims as theirs is barren. You shall survey the lands in the manner in which the neighbouring lands have been surveyed and shall make good any deficiency which may be caused out of the barony of Dunkerron, which is in our hands, and not yet given out to adventurers or soldiers. *P.* ¾. *S.P. Dom. Signet Office V. pp.* 182-3.

Same. SAME for the incorporating of Tulsk, co. Roscommon.

As Tulsk is a convenient place for trade and traffic you shall incorporate it by letters patents, making it a "free and entire" borough with a portriffe, fifteen burgesses and commonalty for ever, with liberty to hold a plea of not less than £5, and to send burgesses to all Parliaments held within the kingdom of Ireland with all the privileges granted by King James I. to the town of Roscommon. *P.* 1. *Ibid. pp.* 183-4.

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30 May. Hampton Court. The KING to the LORD LIEUTENANT for JOHN, LORD MASSEREENE.

We understand that by patents dated 5 July, 1616, John, Lord Massereene has the right of licensing the sale of wine and *aqua vitæ* in Down and Antrim, except certain places therein and, in Coleraine, in co. Londonderry, and in Atherdee [Ardee], co. Louth. This patent is not respected in our bill lately sent over, dealing with such licensing, and we hear that Lord Massereene is willing to surrender it if he receives proper compensation. You shall pay him £1,000 in compensation. *P.* 1. *Ibid. pp.* 184-5.

Also entry of same. *S.P. Ireland* 308, *pp.* 96-7.

31 May. "At our honour of Hampton Court." SAME for pardon of forfeited bonds.

Suit has been made to us by Aldermen Daniel and Peter Weyburne, and John and Lewis Desminieres, on behalf of themselves and other merchants in Ireland, that in encouragement of trade in Ireland, we should pardon several bonds given by them for wool excise and custom and forfeited in the time of the usurped power. The Attorney-General of England has given his opinion that all bonds given and forfeited by the petitioners concerning the transportation of wool before 24 June, 1660, and all bonds given by them for payment of excise and customs before 25 March, $165\frac{8}{9}$, are pardoned by the Act of General Pardon and Oblivion passed in England, Ireland being therein specially named. We therefore grant the petition. Similar pardon to be granted to other persons in the same position as the petitioners. *P.* 1. *S.P. Dom. Signet Office V. pp.* 190-91.

31 May. WARRANT under the SIGN MANUAL [to the LORD TREASURER ?]

By a privy seal of this date we assigned £4,000 out of the receipt of the Exchequer to the Earl of Anglesey, Vice-Treasurer of Ireland, with orders to him to pay it out by way of advance to the seven Commissioners whom we have appointed for executing the Act of Settlement and to Mr. Vangelder, goldsmith. As it is necessary that the Commissioners should hasten to Ireland, you shall see that sum at once paid to the Earl out of the moneys lately brought here with the Infanta of Portugal as part of her portion, or the sums raised on the effects of her portion. £500 to be paid to each of the Commissioners, and £500 to Mr. Vangelder, goldsmith. This order is made in consequence of the scarcity of money. *Pp.* 1¼. *Endd. S.P. Ireland* 310, 43.

Also entry of same. *Pp.* 1¼. *S.P. Dom. Entry Books VII. pp.* 79-80.

JUNE, 1662.

General date 1 June.

DOCUMENTS RELATING TO THE CASE OF THE EARL OF CARLINGFORD.

Petition of Theobald, Viscount Taaffe, Earl of Carlingford, to the King, showing that:—

The King granted to petitioner the favours in the annexed proviso. They will be rendered ineffectual if the same be not provided for in the Act now[1] to be established for the Settlement of Ireland.

Petitioner prays that the King will order the proviso to be put into the Acts. *P.* ½. *Endd. S.P. Ireland* 310, 44.

Draft proviso.

The Commissioners shall take care that the lands lately belonging to Sir Hardress Waller attainted of high treason for the murder of King Charles I. be settled on Theobald, Viscount Taaffe, Earl of Carlingford, and his heirs, pursuant to our grant of 16 March, 1661; as also the lands directed by the King to be passed to him by letters of 9 April, 1661, in lieu of the estate of Collooney and other lands formerly belonging to the said Earl in co. Sligo, as of his manor of Ballimote [Ballymote], or otherwise, which by the King's letters of 30 August, 1661, were directed to be passed to him. These shall be granted to him, together with his ancient estate and the estates in reversion of Christopher Taaffe, of Braganstown, and of Theophilus Taaffe, of Cookstown, anciently entailed on the said Theobald Taaffe's ancestors, as directed in the King's letters of 13 May, 1661. *Pp.* 1¼. *Ibid.* 45.

Further Petition of the Earl of Carlingford to the King, showing that:—

The Bishop of Cork refuses to give up to petitioner the portion of Sir Hardress Waller's estate which were given to the Bishop in error, having previously been promised to petitioner, and which the King, by his letters of 5 June last or thereabouts, ordered him to surrender. As the Bishop is now in London, petitioner asks that he be directed to obey the King's order. *P.* ½. *Endd. Ibid.* 46.

The King to the Lord-Lieutenant for the Earl of Carlingford.

Directing that he be given quiet possession of all the lands, &c., in co. Louth, of which he was given a *custodium*, and which are to be settled on him by the Act of Settlement. *P.* ⅔. Dated 1 June, Hampton Court. *S.P. Dom. Signet Office V. p.* 182.

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[1] The Royal assent to this Act was signified on July 31, 1662.

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Draft of similar letter for reprisals for the Earl of Carlingford with lands in co. Louth, which are not in the actual possession of adventurers or soldiers. *P.* ⅔, *with corrections. Endd. S.P. Ireland* 310, 47.

This concludes the documents relating to this case.

7 June. Hampton Court. The KING to the LORDS JUSTICES for SIR GEORGE BLUNDELL.

We are informed that King James I., by his patents dated 9 November, 1621, granted to Sir George, in recognition of the service of his father, Sir Francis, a pension of E 6*s.* or Ir. 8*s.* a day to be paid immediately after the death of Captain, afterwards Sir Roger Hope, and that this sum has not been paid to him since the death of Sir Roger. You shall make just provision for him. *P.* 1. *S.P. Dom. Signet Office V. pp.* 189-190.

Same. SAME for HUGH, EARL OF MOUNT ALEXANDER.

The Earl has served our cause loyally and has been at great charge to discover certain "lease rents, barons' rents, and quit rents," which are payable to certain persons who have forfeited the same by rebellion, and are concealed from us and were never in charge in the Exchequer. He shall have a lease of these rents, reserving to us such part of the rents discovered by him in the next three years as you shall think fit. Clauses for execution. *P.* 1. *Ibid. pp.* 194-5.

[9 June.] PETITION to the KING of ALEXANDER MACDONELL, showing that:—

By grant dated 11 October, 1661, petitioner was granted the freehold rents of the barony of Glanarme [Glenarm], then understood to be worth £108 a year, until he should be restored to his estate. The value of this grant is now found to be about £150 a year. He prays for a grant of all such chief rents not disposed of to adventurers or soldiers as are due to the King in the said barony, and all such lands, duties, &c., therein as he shall make appear to have never been granted to adventurer or soldier, and are now concealed and yield the King no profit. *P.* ½. *Underwritten with—*

Order, dated 9 June, 1662, referring the petition to the Duke of Ormond, *and endd. with—*

REPORT by the DUKE OF ORMOND on the foregoing PETITION.

Recommends that the petition be granted. *P.* ¼. *Signed, the whole, pp.* ¾. *Endd. S.P. Ireland* 310, 48.

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9 June. Hampton Court.

The KING to the LORD LIEUTENANT for the CORPORATIONS of GLOUCESTER and LIVERPOOL.

Several houses, &c., in the town of Galway, were set out to Anthony Edwards and Thomas Whitcombe, of the city of Gloucester, and other lands were set out to the "Mayor, Burgesses and Aldermen or Corporation" of Liverpool, or to James Browne or others for them, and possessed by them accordingly. They have since alienated their interest in part of the premises to English and Protestants, and have given security for making good such sales and have laid out considerable sums of money in building. These lands are by the Act of Settlement set apart to meet claims in respect of arrears for service before 5 June, 1649. Edwards and Whitcombe have petitioned asking that they may have their estates, and, with other London Protestants, intend to develop trade there. We are unwilling to upset the arrangement of Nov. 30, 1660, and have therefore not acceded to this request by the Act of Settlement; but you shall permit the trustees for Gloucester or Liverpool to have the preference in buying any of such lands as they are in possession of, except the houses, &c., now or lately in the possession of Sir Thomas Clargis, Kt. *P.* 1. *S.P. Dom. Signet Office V. pp.* 186-7.

10 June. Hampton Court.

SAME for SIR JOHN PERCIVAL.

Sir John, by a petition, shows that there was due to his father, at the time of the outbreak of the late rebellion in Ireland, a "corrody"[1] issuing out of the lands of Kinsaly, co. Dublin, viz., man's meat for himself and four servants, and horsemeat for three horses during the four terms of the year. He shows that the said corrody was set by Sir Philip, his father, at £12, and twenty barrels of wheat per year, and that after the beginning of the late rebellion, Richard Goulding, of Kinsaly, co. Dublin, and Walter Plunkett, of Plunkett's Grange in the same, who were inheritors of Kinsaly, became outlawed so that the late usurper let the said lands without making any provision for the corrody of the petititioner and his father. He further shows that these lands are in our hands, and not disposed of and that the corrody is not paid, and prays for a lease of the town, &c., of Kinsaly for 61 years, at a moderate rent. You shall pass patents granting the request, if you find the facts in the petition true. *Non obstante* clauses to be inserted. *Pp.* 1½. *Ibid. pp.* 219-20.

And draft of same, dated 7 June. *Pp.* 2½. *Endd. S.P. Ireland* 310, 49.

Same.

SAME for JOHN BANE O'KELLY, of Curraghteskin, co. Waterford.

O'Kelly has petitioned showing that in 1647, a skirmish or fight took place on the land of Curraghteskin, co. Waterford, of which he was tenant, that some persons of the Parliament party, then commanded by the Earl of Inchiquin, were killed there, and that he has lately been indicted as accessory to the murder of them. A true bill was found against the petitioner on the evidence, as he says, that he was seen standing next a dead person unknown and that some who stood beside him had the horses, arms, and clothes of the said dead

(1) A right to contributions of food. *See Murray's Dictionary II.*, 1021.

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person. You shall examine into the case, and, if you find the facts as stated, grant a pardon to the petitioner. *P.* ¾. *S.P. Dom. Signet Office V. pp.* 235-6.

12 June. At our honour of Hampton Court. The KING to the LORDS JUSTICES.

Directing that all process and proceedings upon the bonds mentioned in the King's letter of 31 May last [*see that date above p.* 551] be forborne until the letters of that date come into operation. *P.* ½. *Ibid. pp.* 191-2.

13 June. Hampton Court. SAME to the LORD LIEUTENANT for PIERCE, VISCOUNT IKYRINE [IKERRIN].

Directing that, as it may be long before the Commissioners can determine his title to his estate, he shall in the meantime be allowed such sum out of the Irish Treasury as they think just. *P.* ½. *S.P. Dom. Signet Office V. p.* 236.

14 June. Hampton Court. SAME to the LORDS JUSTICES for composition of forfeitures upon wool bonds in Ireland.

We have recently made grants to several persons of the sums due on forfeited bonds for transporting wool out of the country. We are nevertheless anxious to mitigate the vigorous enforcement of their forfeitures and therefore desire you to make a proclamation to the effect that all persons who are ready to compound for the sums due from them under these forfeitures and who shall within three months after the date of your proclamation send in petitions stating the amount due from them to such Commissioners as you shall appoint and shall pay such sums as the Commissioners may agree upon, shall be free of these forfeitures; provided that no composition shall be for less than five shillings in the £1, and that the same be paid in at furthest within six months of the date of the compositions. The sums shall be paid over to such persons as have received grants charged thereon until these have been satisfied, and the residue shall be paid out for such purposes as we shall prescribe. As we have granted one half of these forfeitures to — Parker, he shall either accept what the Commissioners think fair, or shall be left to his remedy at law. If he choose the latter alternative, you shall take half the composite sums, pay them out to the other grantees except Parker, and leave the other half until Parker be heard at law. *Pp.* 1¾. *Ibid. pp.* 214-215 *and pp.* 238-40.

Same. INSTRUCTIONS to the MARQUIS OF ORMOND as LORD LIEUTENANT of IRELAND.

Being anxious to give Ireland the blessings of good government and to improve the chance given as by the great forfeitures of those who have borne arms against us, we could not fix upon anything more like to be acceptable to the people for those ends than to appoint you "of whose wisdom and experience in the affairs of that

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kingdom, untainted loyalty, valour and moderation and integrity with zeal to this established religion, we have had so eminent assurance" Lord Lieutenant. We have therefore directed that the appointment be given to you in as ample a manner as it was given to any of your predecessors.

You shall keep the peace and chastise all offenders, and although your long experience makes it less needful that we should instruct you than it would be were the appointment given to a less experienced person, "yet we think fit, after so violent a commotion of all humours, and that the long and continued disorders, troubles and variety of changes in that kingdom have produced such varieties of interests and so much confusion and deviation from order and government, to prescribe unto you such things which we hold necessary for you to observe and we expect that—"

1. You shall formally deliver your commission to the Lords of the Council there, take the oath, and taking your place above all others at the Council, shall administer the oath of Council to those whom we have declared or shall declare to be of our Council there, and who are not yet sworn.

2. You shall above all things "settle good orders" in the church and see that God is better served than now he is, when the rebellion has produced "too plentiful a seedtime of atheism, superstition, and scisme." You shall endeavour to check all disturbers of the peace of the church and take steps that "the tares and cockle which many years' war and confusion have sowed will be most safely picked out." You should continue Lord Chichester's policy of building churches. In order to provide the means which alone will ensure that good ministers may hold livings in Ireland, you must, with the assistance of some of the church and of other persons of skill and experience, investigate the value of livings in the Irish church. You shall endeavour to raise them to their former level, a work to which, as you know, we have made a large contribution in our great Bill recently sent to Ireland. When livings become vacant, you shall fill them with "pious, apt and able persons, being men of good repute, credit and such as may reside upon their livings." You shall see that there is no corruption in the bestowal of livings. Looking into and remembering the instructions sent in 1623 by our grandfather for concerning the Church of Ireland you shall see that the provision made for the clergy at the time of the plantation of the "seignories in Munster," and at the time of the plantation of Ulster and other parts of Ireland, is preserved to them. The same with regard to the provisions made by "the general plantation now to be made" by ourselves. You shall see that the funds given for school maintenance by James I., Charles I. and ourselves shall be preserved for that purpose. We desire "that you endeavour by all possible means to win the people of that our Kingdom to send their children to be educated in the college near Dublin, for whose good the same was chiefly rerected [*sic*] and is bountifully endowed from the Crown."

3. You shall, as was done in the time of Charles I. remit causes between party and party to the ordinary course of justice in order

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that the deliberations of the Council Board may be most useful to the public. You shall let us know from time to time what is amiss there, "and we cannot but marvel that a country so fertile as that is, and so well situated for trade and commerce, should, after so long a continued peace as it enjoyed before the late horrid rebellion" and the many graces and immunities granted to it by James I. and Charles I., yield no better profit than it now does. We desire you to endeavour to advance our revenue now that the settlement is complete, and that Ireland may not only support herself, but that assistance may come from thence as it did in the times of some of our Royal predecessors "towards the defraying of our great expense of our Crown here, and in foreign parts."

4. We know what an advantage it is to have the judges' places filled by persons of competence and honesty, and although we hope that those who now fill these places are competent and honest, yet we desire you to carefully inspect their conduct, to encourage those who do well and report those who do not do so that we may remove them from their places.

5. The multiplicity of pardons and protections is, in our opinion the reason why "idle and loose persons and all offenders have so much increased in that our kingdom." We therefore direct you that except in the case of persons pardoned by Act of Parliament you be sparing with pardons.

6. You shall preserve all our people carefully from oppression, extortion or wrongdoing by the soldiers, and shall punish severely any persons who may commit such offences. Sanctity of property must be assured. The looseness of the late times has made it very difficult to ensure complete repose, but after the settlement has been attained we shall expect complete obedience to the laws.

7. You shall consider our revenue and see that our last establishment for Ireland is rigidly observed. It was our intention to set aside, out of the lands forfeited owing to the late rebellion, a certain amount of land to be kept in demesne for the support of the Crown; "but those forfeitures not amounting to such a value as might have been expected, and much thereof being necessary to be assigned towards reprizals, that design of ours is for the present disappointed." You shall, however, bear this matter in mind and shall endeavour to increase our revenue whenever escheats or other occasions may offer. You shall see that the Vice-Treasurer, Barons of the Exchequer and learned Council meet together frequently to report to you "that you may with the better success succeed in that disquisition; and we rather instance than recommend this particular, which we entirely leave to your wisdom, whether such a constant provision of beeves and other victual may not be settled and provided for as may serve for victualling some part of our Navy, which, if it could be done, would in truth by their resort thither, and attendance there, bring many considerable benefits and advantages to that our kingdom, and our subjects thereof in the increase of their trade and venting their commodities." If you should receive from us any orders running counter to our establishment, you shall not fulfil them until you have reported thereon to us and received

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our opinion. You shall look at the instructions of 1623 regarding the Irish Revenue and see that they are carried out.

8. You shall assist the Vice-Treasurer in bringing in our revenue.

9. No fee farm or lease of any of our lands not in charge, shall be granted under our Great Seal, nor any *custodium* under the Seal of our Exchequer before our office be found, a record entered, and indifferent valuation made of the lands and the same put in charge with the auditor. Every person to whom such grant is to be made shall, before his patent do pass any of the Seals, put in good security to pay the rents and observe the covenants.

10. Neither you nor the Commissioners who shall be authorised to let our lands, &c., shall grant any lands without a reasonable fine and such increase of rent as you and they think fit.

11. In the survey of escheated or concealed lands a better survey shall be made for us than heretofore, and our surveyor shall certify no value upon any particular before a view and inquisition first made and taken of the land, taken by himself or his deputy.

12. Fit persons to be chosen as sheriffs.

13. Small sums only have heretofore come to our Exchequer of the Castle Chamber fines. Though misdemeanours proper for punishment in that Court were many, you shall look into the reasons of this and uphold the jurisdiction of that Court "for repressing of exorbitant offences, wherein our learned Counsell are to do their duty faithfully."

14. All public moneys collected shall be paid in to the Vice-Treasurer, that he may keep a true account.

15. Although the act transmitted from hence for customs and excise empowers us to farm the customs and excise to whom we will; yet, for the ease of our subjects, you may offer the farming thereof first to the different corporations and counties, unless you think that a general farm would be most for our advantage.

16. You shall do all that can be done to increase trade and thereby increase our customs. You shall endeavour to stop the export of corn and import of base foreign money. You shall endeavour to restore the coinage to the level of English currency.

17. The rebellion of 1641, and its attendant cruelties might have well been prevented by a disciplined army placed in convenient quarters. The army shall now be governed "by such rules and orders of war as have been accustomed there. You shall maintain strict discipline and shall keep the army in the places of garrison which are most for the public safety, without considering private profit as heretofore when the soldiers were quartered on or near the officers' estates for particular accommodation and permitted to follow other callings, more than that for which we entertained them. This we shall expect for the future . . . . to be remedied "that so by continual exercise and keeping them entirely and indispensably to the work and calling for which we pay them at a vast charge, they may be dexterous and ready in time of danger." You shall take steps to keep down all rebellion and disturbance and make Ireland a nursery for soldiers for our other dominions. You

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shall be sparing in giving permission to any officers to be absent from their garrisons except on leave. No leave shall be for more than three months.

18. You shall retrench the offices of a quarter-master and two trumpeters for every troop in our army. If any deserving persons hold those places you shall give them other places in the army as vacancies occur.

19. You shall observe certain of the rules suggested by Lord Wentworth for the Government of Ireland in Feb. $16\frac{3}{4}\frac{1}{2}$, which were approved by King Charles I., and which are now renewed.

20. These instructions shall be read together with previous instructions of the same kind. *Pp.* 10. *S.P. Dom. Entry Book IV. pp.* 52-61. And draft of clause 7 hereof. *P.* 1. Dated 17 August, 1662. *S.P. Ireland* 310, 50.

15 June. Hampton Court. INSTRUCTIONS to the LORD LIEUTENANT for SIR GEORGE LANE.

Directing that, in recognition of Sir George Lane's long service and suffering for the Royal cause, he be paid £1,000 out of the sums paid in by the Adventurers and soldiers under the Declaration. The Earl of Ossery, Earl of Anglesey, and Lord Massereene, who have been appointed receivers of these sums, are to take notice hereof. *Pp.* $1\frac{1}{4}$. *S.P. Dom. Signet Office V. pp.* 196-7.

16 June. Hampton Court. SAME to the LORD LIEUTENANT for EDMUND, LORD VISCOUNT MOUNTGARRETT.

Directing that a pension be paid to Lord Mountgarrett in accordance with the arrangements made on his behalf by the Declaration, and by the King's further and special letters, whilst he is waiting for the award of the Commissioners of Claims in his case. *P.* $\frac{1}{2}$. *Ibid. pp.* 192-3.

Same. The SAME for SIR JAMES GRAHAM.

By our letters under the privy signet of 16 June, 1661, we recommended Sir James to the Archbishop of Armagh, for a grant of the lands of Glassepisle [Glaspistol], and Duff's farm in the parish of Termerfeckan [Termonfeckin], which have fallen to the said see—that Sir James might hold them upon such terms as the Archbishop should agree. The Archbishop has accordingly settled upon him these lands and those of Dardiscarth and "Carrepeewre" [Carrowfeer][1] at such rents andother services as were formerly paid to the see of Armagh and such further rents as will make the rents on the whole equal to 3*d.* an acre. He shall be confirmed in possession of these lands by letters patent. *P.* 1. *Ibid. pp.* 198-9.

18 June. Hampton Court. SAME to the LORD TREASURER of IRELAND concerning FORFEITED RECOGNIZANCES.

By certain instructions heretofore sent from hence it has been provided amongst other things that the "mitigation and instalment of fines, amerciaments, issues, and forfeited recognizances after they be

(1) Suggested by Mr. Flood.

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estreated and certified, if any occasion of qualification or instalment be" should be made only in term time in open court by the Lord High Treasurer, Vice-Treasurer and General Receiver of rents and revenues, the Chancellor and most part of the Barons of the Exchequer of Ireland, assisted by our Sergeant-Attorney and Solicitor-General or any two of them. Commissions have accordingly been issued from time to time to these officers. A new Commission shall be issued under our great seal of Ireland to them empowering them, with the assistance of our Sergeant, &c., to "reduce, qualify and stall all and every forfeited recognizances and bonds as well before as after judgment, issues, fines and amerciaments after they are and shall be estreated" to such sum as they think fair—this to be done in term time or within six days' after the end of term. *P.* 1. *S.P. Dom. Signet Office V. pp.* 225-6.

18 June. The King to the Lord Lieutenant for the Earl of Orrery and Lord Massereene.

Directing that the Earl of Orrery and Lord Massereene be appointed and remain collectors of the fees receivable under the late Declaration and the Act of Settlement. They were appointed under the Declaration, and this grant is made to avoid all doubt as their appointment under the Act. They are to preserve their right to 6*d.* in every 20*s.* collected. *Pp.* 1½. *Ibid. pp.* 226-8.

General date 20 June. Documents relating to the Case of Sir James Shaen, Surveyor-General of Ireland.

Petition to the King of Sir James Shaen, showing that:—

At the desire of General Monke the post of Surveyor-General of Ireland was conferred upon petitioner by the late Council of State. That post is now in the King's gift and petitioner is recommended for it by many persons of eminent loyalty.

He prays for a confirmation of his grant. *P.* 1. *Signed. Endd. S.P. Ireland* 310, 51.

The King to the Chief Governor of Ireland for James Shaen.

We grant to Sir James the right to purchase three convenient dwelling houses and twelve thousand acres of forfeited, unrestorable, profitable land, at 21 foot to the pole by placing thereon such adventures, arrears, reprizes, &c., as by our recent Declaration shall be satisfied thereupon. You shall secure from the Surveyor-General's office a return of such lands liable to such reprizes, &c., lying in any of the following places, that is to say:—

The house or houses in Castle Street, Dublin, now held in *custodium* by Sir James.

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One other ruinous house and walls of a house, commonly called "Devenish House," on the Leinster side of the town of Athlone, lately belonging to William Devenish.

One house in the town of Galway, lately belonging to Richard Martin and sometimes in the possession of Mr. Estrope, with the outhouses, gardens, &c., of these houses.

Six thousand acres in Leinster; that is to say, 27 acres in St. James' Fields, within the Liberty of "the said city [Dublin]," ninety-three acres in the towns and lands of Kilmaynam [Kilmainham] and Inchicore, near "our said city."

The forfeited towns and lands of Esker and 888 acres next the same in co. Dublin.

The forfeited lands, &c., of Kilcock, in the co. Kildare, and 2,000 acres next the same, in cos. Kildare and Meath.

The forfeited lands, &c., in Ballindrumny, in the barony of Carbery in Kildare, with 3,000 acres contiguous thereto in Kildare and Meath.

Six thousand acres in Connaught, of which there are to be 2,500 in Roscommon and 3,500 in Galway, within ten miles of the road from Athlone to Galway, which are liable to meet decrees, reprizes, &c. Our further pleasure is you make a grant of the said lands to Sir James upon condition that, within six months after receiving notice given him by the Commissioners for executing any act of Parliament for the settlement of Ireland, Sir James shall deliver to them, to be cancelled, such adventures and incumbrances as shall have been satisfied by the same grant.

He shall be empowered to redeem any lawful mortgage on the said lands. Clauses for execution, and for giving of equivalent lands to Sir James if the lands herein mentioned cannot be taken by him. He shall have the full benefit of the King's letters of 26 June, 1661. *Pp.* 4. *S.P. Dom. Signet Office V. pp.* 248-252.

Also draft of same. *Pp.* 2½, *with note signed by the* Earl of Anglesey. "This is the draft of the letters mentioned in Sir James Shaen's proviso to the Bill of Settlement which is agreed unto and ordered to be engrossed by the King in Council, 8 April, 1662, the Lord Lieutenant being also present. *Add. to the* Duke of Ormond and the Commissioners of the Declaration. *Endd. S.P. Ireland* 310, 52.

The King to the Lord Lieutenant for Sir James Shaen.

We confirm the concessions granted to Sir James Shaen by our letters of 29 January last. In order that he may satisfactorily remove himself to near Dublin, where he is to go in order to perform the office of General Register under our Declaration, you shall grant him the house in Castle Street, Dublin, lately belonging to Colonel Lawrence, and also the castle, house, town and lands of Malahide, lately belonging to Mr. Talbot of the same, who is indicted of high treason and took land in Connaught, and also 1,000 acres of forfeited unrestorable lands convenient to Malahide. He shall have the house of Dublin for his arrears before June, 1649, and the other lands in satisfaction of his other claims. *Other details.*

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He shall, before taking out his patents, surrender or give bonds to surrender the claims in respect of which such lands are given. *Pp.* 2. Dated Whitehall, 20 June, 1662. *S.P. Dom. Signet Office V. pp.* 252-4.

This concludes the documents relating to this case.

About 21 June. ORDER of the LORDS SPIRITUAL and TEMPORAL and COMMONS in PARLIAMENT assembled.

Directing that the payment of the Customs and Excise be continued after 23 June, 1662 (when the order of 22 March, 1662, expires) to 24 December, 1662. *P.* ⅛, *Entry. S.P. Ireland* 309, *p.* 57.

21 June. Hampton Court. The KING to the LORD LIEUTENANT for the COUNTESS OF MOUNTRATH.

Directing that patents be passed granting to the Countess the right to "build, maintain, alter and continue" such lighthouses on the Irish coast as are or may be necessary for the security of the King's subjects and others, for the period of 31 years, and to receive the fees heretofore paid by ships for the maintenance of the same. She shall have the right to erect such new lighthouses and lights as they think fit, and to charge such fees as they deem fair for same. *P.* 1. *S.P. Dom. Signet Office V. pp.* 193-4.

Same. SAME to the COMMISSIONERS of the DECLARATION[1] for LORD COLLOONEY.

His Lordship was possessed of certains lands in Ireland which, by our late Declaration, are to be restored to their former owners, and for which he is therefore to be reprised. He has discoverd certain lands forfeited to us in the barony of Moygoise [Moygoish] which were concealed from us till he cleared our title to them. You shall give him a *custodium* of these lands, viz. :—

Street,
Clonconnell,
Farranamanraher [Farranamoreen ?],
Dromamtrilly,
Correlly [Correally],
Coolenegour [Coolnagun],
Clonemore,
Cloneby [Clonboy],

or of so much thereof as shall be sufficient to compensate them. *P.* 1. *Ibid. pp.* 212-3.

(1) Hereafter so-called. They were the Commissioners appointed to carry out the Declaration of 30 November, 1660.

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21 June. Hampton Court. The KING to the LORD LIEUTENANT for JAMES MORPHEY, Clerk, M.A.

Directing that in spite of a later grant given to some other person he be invested in the rectory and vicarage of Athenry, which he was given by patents of 22 November, 1660, and by presentation of Lord Birmingham, the patron of the living. *P.* ¾. *S.P. Dom. Signet Office V. pp.* 264-5.

22 June. Court at Hampton Court. DRAFT of ORDER by the KING in COUNCIL.

His Majesty's express pleasure is that the various Masters of Requests in their several months of attendance at court, do not move the King for any Irish suit by way of reward before the ordinary revenue of the Kingdom become equal to the necessary charge of that Crown, and the debts thereof be fully cleared; or for remedy of any injustice or oppression pretended to be done there, unless it appear that the party has first applied to the Lord Lieutenant for confirmation of a reversion of any office or new grant of a reversion hereafter, or for any place on the civil or martial list in the Lord Lieutenant's gift, or the creation of any new post in Ireland till the Lord Lieutenant be consulted thereupon and has sent back his opinion thereon. *P.* 1 *and p.* 1. *Two copies, to one of which is attached* a memorandum showing that the Duke of Ormond made [this] application to the King and that it was approved at the Council Board on 22 June, 1662, in the presence of the King, the Duke of York, the Prince Rupert, the Duke of Ormond, and nineteen other members [named] of the Council. *In all, pp.* 1½. *Endd. S.P. Ireland* 310, 53 *and* 54.

Same. SAME by SAME.

Present:—The King, the Duke of York, Prince Rupert, the Lord Chancellor and nineteen other members [*named*] of the Council.

All propositions touching matters of revenue from the [Lord] Lieutenant shall go direct to the Lord Treasurer in England only. All other despatches for Ireland shall go specially to one Secretary of State; and the King desires that this be Secretary Nicholas. *P.* 1, *to which is attached*.—

Memorandum in the manner of the Lord Lieutenant's reception.

As soon as the ships give fire the guns of the Castle shall answer.

If the Lord Lieutenant land on the College side of the river then the Royal regiment on the one side and the regiment of the City Militia on the other, to make guard for him from the Castle Gate forward towards Chichester House and so onward as far as the numbers of both regiments (duly placed) shall extend.

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If he land on the other side of the river then the regiment of the City Militia shall make a guard for him on both sides from the Tholsell to New Gate, from thence through the New Row towards Ormond's Gate, from thence to the Bridge Gate, and so forwards as far as their numbers will permit, and in such case the Royal regiment to make a guard for his lordship on both sides of the street from the Tholsell to the Castle Gate.

Those persons who shall on horseback attend the sheriffs of the city from the place where they shall meet his lordship to the city are to march foremost into the city, and after them two troops of horse.

Then the King's company.

Then the halberdiers.

Then his Lordship and his train.

Then two troops of horse.

Those persons that shall on horseback attend the sheriffs, are at their coming to the Castle Gate to march off to Wood Quay. The four troops of horse to march into the stable yard of the Castle.

The King's company to march into the Castle and there make a guard for his Lordship.

The halberdiers to march to Castle Bridge and there make a guard for his Lordship.

After his Lordship has been for some time in the castle, then the ordnance there shall give "a peal of ordnance," and after them the foot to give a volley of shot, and after them the four troops of horse to do the like; and so all thrice.

None shall ride into the Castle the day of the reception but the Lords Spiritual and Temporal, the Privy Councillors, the Judges, the King's learned counsel, and the Masters of Chancery.

No coaches but those of the Lords Justices, if they be in one, and of the Lord Lieutenant and his lady, to enter the castle on that day. All other coaches to pass by the Castle.

At night there shall be fireworks and bonefires. *Pp.* 1½, *with signatures* of the Earl of Orrery, *and* (*copy*) *of* Lord Chancellor Eustace. *Endd. In all, pp.* 2½. *S.P. Ireland* 310, 55.

22 June. Court at Hampton Court.

PROPOSITIONS to be considered of CONCERNING the GOVERNMENT of IRELAND with answers thereon.

1. Concerning petitions for Irish suits [*similar to last entry but one, q.v.*].

Answer. A most reasonable demand; should be agreed to. Will restore the King's finances. Will "entirely draw the dependance of the inferiors from their great Lords upon His Majesty, and so the interest and assurance the King shall have in the natives there be of itself a great advantage."

2. No grant whatever concerning Ireland shall be entered with the Secretaries, Signet, Privy Seal, or Great Seal, till the Lord

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Lieutenant be made acquainted, and it first pass the seal of that kingdom in the usual manner.

Answer. Much to be desired. The value of things given can be more justly estimated there than at a distance [*i.e.* in England]. On the other side nothing can pass to the disadvantage of the Crown, and the proper Ministers instructed with those affairs may be "immediately faulted," if any abuse is discovered. They will consequently be careful in guarding the King's rights.

3. The King should appoint Judges, Bishops, and Privy Councillors only after consultation with the Lord Lieutenant. The Lord Lieutenant should be directed to report on the diligence of every person serving there, in order that those who deserve it may obtain the Royal rewards.

Answer. Desirable. The Lord Lieutenant cannot govern successfully without the help of good and able men. Men will serve in Ireland during the best years of their lives when they see that their old age is rewarded with ease and profit there. The natives will be contented when they find themselves cared for and placed under good rulers.

4. No complaint of oppression, &c. [*see last entry but one, lines* 5-7].

Answer. Only fair to the Lord Lieutenant, who should be consulted before any charge is made against him. It is a mistake that people should come here for a relief which they might have had at their own doors. Where a charge against the Government is made and justified, let the guilty party be severely punished, especially if the charge is one of corruption or malice.

5. No confirmation of any reversion of office in Ireland to be had and no new grant of a reversion to pass hereafter.

Answer. The disposing of places in advance much abates men's endeavours. If they are thus granted away men have "nothing left in their eye for them to expect and aim at." The persons who get posts in reversion are usually incompetent.

6. The Lord Lieutenant should have unrestricted power as to places in his gift both in the martial and civil list in Ireland.

Answer. The Lord Lieutenant can have neither dignity nor strength and cannot command good service, unless he has this power.

7. No new office to be created without first consulting the Lord Lieutenant.

Answer. Such new offices are usually burdensome to the public and suggested for the propounders' advantage only.

8. The Lord Lieutenant alone to have the right of licensing governors of provinces, Bishops or Councillors to be absent from the Kingdom.

Answer. Reasonable.

9. Propositions touching the revenue, &c. [*see above, last entry, first par., to which these are similar*]. *Pp.* 3½, *with note* of the date (22 June, 1662) at which the propositions were made and of the number of the Council present. *Also an incomplete copy. Pp.* 4. *S.P. Ireland* 310, 56 *and* 57.

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22 June. Hampton Court. The KING to the LORD LIEUTENANT for THOMAS TILSON.

Directing that out of the moneys reserved for relief of those who have suffered in the Royal cause there be paid to him £1,000 for support of himself and the other children of the late Bishop of St. Elphin. *P.* ½. *S.P. Dom. Signet Office V. p.* 200.

Same. SAME to SIR GEORGE LANE.

Directing that he shall absent himself from his post of Clerk to the Privy Council in Ireland, whenever the Lord Lieutenant may be away from Dublin, and he [Sir George] may have to attend him. It is desirable that he should so attend him on account of his "knowledge and long experience in the affairs of that unsettled kingdom." He shall not, owing to such periods of absence, suffer in his appointment as Clerk to the Privy Council. *P.* ½. *Ibid. p.* 206.

Same. SAME to the EARL OF ANGLESEY, Vice-Treasurer of Ireland, for the Lord Lieutenant.

Directing that for the period between 4 Nov., 1661, when the Duke of Ormond was declared Lord Lieutenant, and the 1st of April next [*sic*], when the new establishment comes into force, the Duke be paid such salary as he was paid in the time of his late government there and such allowances for journeys, &c., as were allowed to the late Earl of Strafford. *P.* ½. *Ibid. pp.* 206-7.

Also entry of same in which the second date is correctly given "as the first of April last." *S.P. Dom. Entry Books VII. p.* 113.

Same. SAME to the LORD LIEUTENANT for the EARL OF CORK.

Directing that the Earl's appointment as governor of the fort of Halbowling [Haulbowline] with 6*s.* a day, shall be inserted in the military list, and that he be punctually paid. *P.* ½. *S.P. Dom. Signet Office V. pp.* 230-1.

Same. SAME for ROBERT PAINE.

Recommending that in "resentment" of his many services to the late and the present King, he be made muster-master of the "trained bands, undertakers and outrisings" in Leinster and Ulster during life, with all usual fees, &c. *P.* ½. *Ibid. p.* 248.

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22 June. Hampton Court.

The KING to the EARL OF ANGLESEY, Vice-Treasurer of Ireland, for SIR JAMES DILLON.

Directing that he receive £300 out of the sums paid in under the Declaration or Act of Settlement by the adventurers and soldiers. *P.* ½. *S.P. Dom. Entry Book IV. p.* 125.

23 June. Council Chamber, Dublin.

DECLARATION by the LORDS JUSTICES and COUNCIL.

By the Irish Act of 11 Elizabeth, it was enacted that no person . . . should ship or carry away any "sheep-fells, calf-fells, goat-fells, red deer-fells or fallow deer-fells unwrought" out of this kingdom without paying the customs due for the same, *i.e.*:—

For every sheep-fell, calf-fell and goat-fell -	0*s.* 4*d.*
For every red deer-fell - - - - -	2*s.* 6*d.*
For every fallow deer-fell - - - -	1*s.* 8*d.*

This act also enacted that all persons who should transport such fells should pay, to the use of the city or corporate town from which they exported them, 3*d.* for every sheep, calf or goat-fell; 20*d.* for every red deer-fell and 18*d.* for every fallow deer-fell; and that such persons should also forfeit 4*d.* for every sheep, &c., fell, 2*s.* 6*d.* for every red deer fell and 1*s.* 8*d.* for every fallow deer-fell, to such person as should sue for the same. The same act enacted that if any master should ship on board any ship, bark, "packard boat" or other vessel any parcels of such goods without customs and other charges thereon having been paid, his ship should be forfeited—half of the value to the Exchequer and the other half to the discoverers of the fraud; and also enacted that any searcher or deputy factor who concealed infringements of this act for fourteen weeks should be guilty of felony and punishable with death and forfeiture of goods.

By the Irish Act of 13 Elizabeth, the former act is explained. The earlier act specified the rewards to be given to persons who discovered breaches of it [*details given*], and made the mere act of loading or shipping a felony punishable with death—either for the principals or accessories; and enacted that every trunk, "fardel" or pack in which such contraband goods were packed should be confiscated.

We have considered these Acts and that they are "very much for the general good of His Majesty's subjects and to stay the said commodities to be wrought within the Kingdom, whereby many living idle may be set to work and English artificers may be encouraged to come into His Majesty's kingdom to work the said several commodities for the public benefit and advantage of the whole realm." The officers of the customs shall take due notice of these Acts and see that they are enforced. *Pp.* 4. *Overwritten, &c.*, as previous proclamations and declarations [*see that of* 31 *July*, 1661, *No.* 2]. *Entry. S.P. Ireland* 309, *pp.* 58-61.

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28 June. Hampton Court.

The KING to the LORDS JUSTICES for the EARL OF CLANRICARDE.

A special proviso to the Bill of Settlement sent to Ireland prescribes that the Earl of Clanricarde shall be restored to all his estates, and that the persons who shall be removed in consequence of this order shall be reprised out of the first lands that shall come to us in Connaught or Clare. A good part of the Earl's lands has been set out to Sir James Cuff, Henry Waddington and John Eyre, Esq. We direct you to ascertain, for speedy execution of our desire in this matter, what lands in Connaught were set out to Sir Valentine Browne, Bt., Thomas Luttrell and Walter Cheevers, who (as we are informed) are now actually restored to their estates, and to use these lands for the prompt reprisals of Cuff, Waddington and Eyre. *P.* 1. *S.P. Dom. Signet Office V. p.* 216.

[Before 28 June.]

DRAFT of WARRANT by the LORD LIEUTENANT to the EARL OF ANGLESEY.

Directing him to pay £600 to Patrick Archer in pursuance of the King's letters of 17 May last directing that Archer receive certain sums, and £205 a year till they be paid to him. The sum to be paid out of the moneys that come in on 1 November next from the adventurers and soldiers under the Declaration of 30 November, 1660 and the Act passed or to be passed in execution thereof. *P.* ¾. *Endd. S.P. Ireland* 310, 58.

28 June. Hampton Court.

The KING to the LORD LIEUTENANT for PATRICK ARCHER.

Recites the letter of 17 May, 1662 [*for which see above p.* 545] and directs that, pending the satisfaction of his claims he be paid £600 out of the sums payable by the adventurers and soldiers under the Declaration and Act of Settlement. *P.* ¾. *S.P. Dom. Signet Office V. pp.* 195-6.

30 June. Hampton Court.

The KING to the LORD LIEUTENANT and COUNCIL for VISCOUNT TARA and MRS. WARREN, his sister.

On account of the late Lord Tara's great service to us we are particularly anxious to supply the wants of his orphans and those of his sister, Mrs. Mary Warren. Pending the satisfaction of the claim in their petition [which we have sent to you] we direct that they shall be paid £10 a week, the payment to date from the time of our Restoration. The sum shall come from the rents arising out of *custodium* lands in reprisals *de bene esse* set apart for satisfaction of adventurers and soldiers. *P.* 1. *Ibid. pp.* 200-201.

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1 July. Hampton Court. The KING to the LORD LIEUTENANT for JAMES STANDISH, of Dublin.

By our Declaration of 30 November, 1660, we declared that those who had supplied arms, clothes, &c., for the army in Ireland should preserve the lands given them in payment, and also that the forfeited lands in co. Kildare should be used to reprize the encumbrances upon the estates set out to adventurers or soldiers. James Standish has bought about 260 acres in Kildare from those to whom lands were set out for provisions supplied, and has also been paid with about 370 more, due to him as assignee of certain adventurers and soldiers. He shall be confirmed in these lands and their value shall be deemed to be that at which he purchased them "we esteeming it but just that the overplus of lands set out in satisfaction of the said provision, &c., should be withdrawn from those who received the said satisfaction and not from him who purchased the said lands from them." *P.* 1. *S.P. Dom. Signet Office V. pp.* 229-230.

Also entry of same. *P.* ⅔. *S.P. Ireland* 308, *p.* 153.

4 July. Hampton Court. SAME to SAME for VISCOUNT DUNGAN.

In August, 1661, we directed that a corporation for controlling the making of starch should be erected in Dublin, having power to control that work for 49 years and at a rent of £20 a year. We directed that Robert Dungan should have the right of nominating the members of that Corporation. You shall now erect such corporations in Dublin and where else William Viscount Dungan, of Clane, thinks fit, giving him the right to nominate the members, whose power shall be for 49 years. You shall by proclamation prohibit the making or serving of starch by persons not of these corporations. *P.* 1. *Ibid. pp.* 243-4.

Also entry of same. *P.* ⅔. *S.P. Ireland* 308, *p.* 151.

4 July. The LORD LIEUTENANT to SECRETARY NICHOLAS.

Requesting that a commission may be promptly issued to Sir Francis Hamilton, Daniel O'Niell, Sir Thomas Armstrong and others to inquire and discover, by certain persons to be nominated, concerning a number of arrears of money and of lands detained and concealed from the King. These lands and moneys are alleged to have been concealed for many years before 10 May, 1660. The Commissioners are to have a fourth part of all they discover and bring in. Other clauses are to be put in, as draft warrants which accompany this letter will show. *P.* 1. *Signed. Add. Endd. S.P. Ireland* 310, 59.

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5 July. Hampton Court. The KING to the LORD LIEUTENANT and Commissioners of Settlement for the widow of the EARL OF MOUNTRATH.

Directing that, in the matter of reprisals for lands of her late husband which she has had to surrender, she have the full benefit of the King's letters of 28 Feb., 166$\frac{0}{1}$, so far as is consistent with the Declaration and Act of Settlement. She and her children shall be confirmed in possession of the lands of Rathmore and Kilkeel, and of those in the barony of Nethercross, co. Dublin. In accordance with our regulations for giving lands taken in Connaught and Clare by persons now restorable to those who have to surrender the lands to which the persons so restorable are to be restored, you shall grant the Countess of Mountrath and her children the lands lately possessed in Connaught and Clare by Col. John Fitzpatrick and Thomas Luttrell, of Luttrellstown. These will be in compensation for her and her children's loss of the lands to which the Earl of Clanricarde is to be restored. The Countess petitions that although her husband's arrears for service before 1649 were £13,000, yet these are retrenched by the Act of Settlement to £6,000. You shall pay her £6,000 out of the profits from the year's or year-and-a-half's rent agreed to be paid by soldiers out of their lands, and shall, towards payment of the remainder, remit to her all payment of the said years' rent which she may be liable to pay in respect of the lands of which she has been given possession. *Pp.* 2$\frac{1}{3}$. *S.P. Dom. Signet Office V. pp.* 223-5.

Same. SAME for SAME.

The Countess, widow of the late Earl of Mountrath, petitions showing that her eldest son enters and distrains for rent upon the estate of her late husband before the rights of herself and her younger children therein have been finally determined by the Lord Lieutenant and Council, and that Lord Gormanstown has anticipated our favour to him by seizing the lands claimed by him before the Countess has been reprised for the same. You shall appoint an indifferent person to receive these rents until the questions at issue between the Dowager Countess and her son shall have been determined and the Countess, or another person appointed by you shall have the post in possession of Gormanstown. Neither party shall meantime molest the tenants. Lord Gormanstown shall take notice of this command. *Pp.* 1$\frac{1}{2}$. *Ibid. pp.* 228-9.

6 July. Hampton Court. The KING to the RECEIVERS of the Adventurers' moneys for the EARL OF CASTLEHAVEN

Directing that £4,000 be paid to him out of the first of the sums to be paid in under the Declaration by the adventurers and soldiers. You, the Earl of Anglesey, Lord Massereene, and Earl of Orrery shall take notice of and execute this order. *P.* 1. *Ibid. pp.* 208-9.

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General date

DOCUMENTS RELATING TO THE CASE OF FRANCIS SLINGSBY.

6 July. Entry of Petition of Col. Walter Slingsby and Francis and Arthur Slingsby for themselves, &c., showing that:—

£5,889 is due to Guildford their brother as Master of the Ordnance in Ireland. His executor was Robert, who, being involved in many suits, has left his widow and child miserable. They desire the debt may be recommended to the Duke of Ormond. *P.* ½, *with note of* order, dated 21 April, 1662, referring the petition to the Duke of Ormond. *S.P. Dom. Entry Books XIII. p.* 109.

The King to the Receivers of the Adventurers' moneys [?] for Francis Slingsby.

Directing that out of the fund mentioned in foregoing £2,000 be paid to Slingsby in recognition of his services and those of his deceased brother Guildford, and his other brothers. Clause for execution as in foregoing. *Pp.* 1⅓. Dated 6 July, Hampton Court. *S.P. Dom. Signet Office V. pp.* 209-10.

This concludes the documents relating to this case.

6 July. Hampton Court. The KING to the LORD LIEUTENANT for HENRY O'NEILE, of Killalagh, co. Antrim.

O'Neile has not, in spite of our order, been restored to his estate in co. Antrim. It is held by Lord Massereene, and O'Neile petitions showing that the Act of Settlement provided for reprisals to Massereene in the co. Dublin only, but that there are not any lands in that county which can be used for such reprisals. Lord Massereene shall take his reprisals elsewhere than in co. Dublin. If your present powers are not sufficient to enable you to do this, you shall insert a clause in the Explanatory Bill to be sent over here taking to yourselves such powers as may enable you to satisfy O'Neile. *Pp.* 1½. *S.P. Dom. Signet Office V. pp.* 211-212.

6 July. Whitehall. SAME to the RECEIVER GENERAL for SAME.

On 24 September last we ordered £400 to be paid out of our exchequer to O'Neile, as compensation for the "Hallentide" rents of his estate which is still in Lord Massereene's hands. You shall see that this sum is paid at once out of the lands set apart for cautionary and previous reprisals. £400 shall also be paid to him for satisfaction of the May rent. *P.* ¾. *Ibid. pp.* 220-221.

6 July. Hampton Court. The KING to the RECEIVERS of the Adventurers' moneys for the EARL OF ROSCOMMON.

Directing them to pay the Earl £5,000 out of the adventurers' and soldiers' rents. *P.* 1. *Ibid. pp.* 231-2.

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6 July. Hampton Court. ENTRY of the King to the LORD LIEUTENANT for COLONEL GEORGE GORDON.

Col. Gordon has suffered much in our cause. If you should have any lands or moneys undisposed of in Ireland we recommend him to your favour. *P.* ¾. *Entry. S.P. Ireland* 308, *p.* 152.

7 July. Hampton Court. SAME for SIR GEORGE LANE, one of the Clerks of the Privy Council.

Sir George is going to Ireland with the Duke of Ormond. He shall have the "privilege of entering into our Council Chamber and standing by at the debates of our Privy Council" there. *P.* ⅔. *S.P. Dom. Signet Office V. p.* 237.

Same. DRAFT of SAME to the RECEIVERS of the Adventurers' rents for the EARL OF MOUNT ALEXANDER.

Our bill for settlement of Ireland contains a clause providing that if the manors, castle, town, &c., of St. Wolston's also Allen's Court, co. Kildare, or any other castles, manors, advowsons, &c., in cos. Kildare or Dublin, formerly the inheritance of Sir Thomas Allen, deceased, and now belonging to Lady Allen, his wife, for a certain term, with remainder to Robert John, William and James Allen, shall be found upon inquiry to be forfeited, you shall grant them to the Earl of Mount Alexander and his heirs for ever at the Leinster adventurers' rate of rent. The clause gave him benefit of reprisals both in case any person should prove restorable to these lands, and in case any other person should be entitled thereto, and gave us power to revoke this grant absolutely. As soon as the act passes you shall make him a grant of the premises without any proviso for revocation. *Pp.* 1½. *Entry. S.P. Ireland* 308, *pp.* 91-2.

Same. SAME for OWEN "MACK CARTY."

Referring his petitition to them, which they shall grant if they find the facts true. *Six lines, as foregoing, p.* 92.

Same. SAME to the LORDS JUSTICES for the Bill of Settlement.

As Parliament in Ireland has passed the three bills for subsidies of customs and excise in Ireland, you shall pass the Bill of Settlement with all convenient speed. *P.* ¼. *Ibid. p.* 152.

Same. SAME for the EARL OF MOUNT ALEXANDER.

Directing that all broken and unserviceable ammunition, shell, &c., be handed over to him to assist him in carrying out his duties as Master of the Ordnance. He may convert these to his own use without account. *P.* ¾. *Ibid. pp.* 152-3.

Also draft of same. *Pp.* 1½. *Endd. S.P. Ireland* 310, 60.

1662.

General date 7 July.

DOCUMENTS RELATING TO THE CASE OF JAMES FITZGERALD, OF LACKAGH, CO. KILDARE.

Petition of Fitzgerald to the King, showing that:—

He was loyal to the King and was forced by the rebels out of his house at Norraghbeg, which they fortified. He aided the Duke of Ormond till 1652 and then went abroad, preferring service there to life under the usurping tyranny. He prays for a reference of his case to persons of integrity. *P.* 1. *Underwritten with*—

Order, dated 23 Oct., 1660, referring the petition to the Lord Chancellor of Ireland, *and endd. with*—

Report by Lord Chancellor Eustace on the foregoing petition.

Sets out a certificate dated 23 Oct., 1660, by Lord Muskerry testifying, at the Duke of York's command, to the services of Fitzgerald abroad. Petitioner should be restored to so much of his estate as is not set out to adventurers or soldiers. *P.* ½. *Signed. In all, pp.* 1½. *Endd. S.P. Ireland* 310, 61.

Copy of the King to the Lords Justices for James Fitzgerald.

Recites foregoing certificate by Eustace, and directs those who pretend to any interest in Fitzgerald's lands to permit him to enjoy them. *Usual clauses* for execution, including the direction to the Chief Baron to put out of charge any charge placed on the premises by any lease or *custodium* coming from the late usurped power. *P.* 1½, *certified* a true copy by Sir James Shaen. Dated 26 Oct., 1660. *Endd. Ibid.* 62.

Petition of Same to Same, showing that:—

The King's letters of 26 Oct., 1660, for restoring petitioner have not been carried out, nor has the Chief Baron of the Exchequer put them out of charge. His tenants, who have paid him part of the rents, refuse to pay him more, fearing the demands of the Court of Exchequer.

He prays for fresh directions to the Chief Baron of the Exchequer for putting his estate out of charge. *P.* ¾. *Endd. Ibid.* 63.

Further Petition of Same to Same.

Similar in substance to foregoing, underwritten with order, signed by Holles, and dated 17 April, 1662, referring the petition to the Duke of Ormond who shall take proper steps for the relief of Fitzgerald, *and endd. with*—

Report by the Marquis of Ormond.

He cannot give the order desired until he goes to Ireland. This delay may be of great prejudice to petitioner and he accordingly requests that the King may grant him relief directly. *P.* ½. *Signed.* Dated Warwick House, 7 July, 1662. *In all, pp.* 1½. *Ibid.* 64.

This concludes the documents relating to this case.

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7 July. Whitehall. The KING to the LORD LIEUTENANT for SIR JOHN PERCIVALL.

Directing that Sir John be appointed General Register, and Chief Clerk and Examiner to the Commissioners appointed for executing the Act of Settlement by patents under the Great Seal. He shall hold during good behaviour and shall perform the office himself or by sufficient deputies. He shall have power to receive all commissions, papers, &c., brought before the said Commissioners for ascertaining the titles of those who apply to the Commissioners, &c., and all books, records, &c., relating to the statement of officers' pay and other public debts. An instrument shall be passed under the Great Seal discharging Sir James Shaen from this office, which he has hitherto held. Favourable clauses. *P.* 2. *S.P. Dom. Signet Office V. pp.* 217-8.

8 July. Hampton Court The KING to the LORD LIEUTENANT for SIR HENRY O'NEILE.

The remainder of the castle, lands, &c., of Sir Henry O'Neile of Edenduff, co. Antrim, was settled on Art Oge O'Neile, Sir Henry's brother, and the heirs male of his body, after the death of the now "Lady Marques," of Antrim, and the estate of several freeholders which do hold of that estate in the said county are in like manner forfeited unto us and are intruded into and possessed by persons who are not soldiers and adventurers. You shall inform yourself on that matter, and shall grant the castles, lands, &c., of Sir Henry O'Neile and the other lands aforesaid to Cormack, the son and heir of Art Oge O'Neile [*sic*] with remainder to Art Oge and his heirs, "so long as the said Art Oge O'Neile hath issue male of his body, and to have and to hold the lands, tenements, and hereditaments of the freeholders and tenants holding of the said estate of the said Sir Henry O'Neile and forfeited to us as aforesaid, unto the said Cormack O'Neile, his heirs and assigns for ever." Favourable clauses for execution. *Pp.* 1¼. *S.P. Dom. Signet Office V. pp.* 221-2.[1]

Also draft or copy of same. *Pp.* 1½. *Endd. S.P. Ireland* 310, 65.

Same. SAME for SIR JAMES DILLON.

Directing that Sir James, and such other persons as the Lord Lieutenant shall find faithful, shall be appointed to compound with all recognizors in Ireland whose recognizances may have been estreated into the Court of Exchequer. The composition shall be at reasonable rates as the enforcement of the recognizances would ruin many innocent people. A rent of £200 a year shall be paid to the Crown in lieu of these penalties. *P.* ½. *S.P. Dom. Signet Office V. p.* 243.

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[1] An error in transcription, whereby a certain part of this grant is copied twice, has rendered it difficult to understand its precise sense, but I think the substance is as here given. The mistake reappears in the draft.—Ed.

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10 July. Hampton Court. The KING to the RECEIVERS of the Adventurers' money for COLONEL WILLIAM BOURKE.

Directing them to pay him £1,000 out of the said money in recognition of his services. *P.* 1. *S.P. Dom. Signet Office V. p.* 256.

12 July. Hampton Court. The KING to the "LORD DEPUTY" for ALDERMAN DANIEL WEYBURNE, and others.

On the petition of Weyburne and others, and on the opinion of our Attorney-General, that all bonds forfeited concerning transport of wool before 24 June, 1660, and all bonds for excise and customs before 25 March, 1658, are within the Act of Indemnity and Oblivion, we directed pardons for the same to be issued to those who applied for them. By our letters of 14 June last we ordered Proclamation to be made in Ireland encouraging those who are liable on such bonds to compound for them at a certain and stated rate. You may, however, make special arrangements with such merchants if they desire it. *P.* ½. *Ibid. pp.* 234-5.

Same. SAME for SIR WILLIAM CARR.

We are given to understand that the petty customs of our town of Galway were by charter granted to the Corporation for 61 years, and have since been mortgaged by the said Corporation to certain persons for a sum of money about £2,000; and that the said "morgages" [mortgagees] did in the time of the late usurpers make application to the Court of Claims in Athlone and took lands in satisfaction of their said mortgage. It is also alleged that the town of Galway has forfeited its charter to us by its rebellion, so that its petty customs, toll, &c., are in our hands. If you find this to be so, you shall grant them to Sir William Carr in such manner as may stand with our service. If there be reason to restore the charter of Galway and they shall repay the sums for which the customs were mortgaged, you shall grant Sir William such allowance out of those sums as you think fit. *P.* ½. *Ibid. p.* 247.

Also draft of same. *P.* 1. *Endd. S.P. Ireland* 310, 66.

13 July. Hampton Court. SAME for SIR RICHARD LANE and SIR JOHN PERCIVALL.

Sir Richard being nominated High Sheriff of Roscommon in 1651, at the order of the Marquis of Clanricarde, demolished his Castle at Tulsk [for military reasons], his only residence, at a cost of £2,000. Sir Philip Percivall, father of Sir John, faithfully served King Charles I. and repaired to him at Oxford, but was never rewarded; and his son, Sir John, was sequestered by the usurper.

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In recognition of the services of these two persons you shall grant them by patent all the fairs, markets, &c., formerly granted to any person or body corporate whatsoever, with such courts, tolls, liberties, &c., as pertain to these fairs, at such rent as you think fit. *P.* ⅔. *S.P. Dom. Signet Office V. p.* 247.

13 July. Hampton Court. ENTRY of SAME for HENRY, VISCOUNT FALKLAND.

Directing that he be sworn a privy councillor for Ireland. *P.* ¼. *Entry. S.P. Ireland* 308, *p.* 92.

Same. ENTRY of SAME for DANIEL O'NEILE, of the King's bedchamber.

You shall insert in the bill for taking away the Court of Wards in Ireland, a clause providing that the act shall not invalidate O'Neile's claim to the wardship of Sir Richard, son and heir of Sir Wm. Parsons, Bt., late of Bellomont, co. Dublin, or to the usual profits of the said wardship. Favourable clauses. *P.* ⅔, *and p.* ⅔. *Entries. Ibid. p.* 93, *and Ibid. p.* 99.

13 [July]. [The KING to the LORD LIEUTENANT] for JOHN O'GILBY.

By our letters of 8 May we appointed John O'Gilby to be master of the Revels and masks in Ireland. He shall surrender this grant and shall thereupon receive a grant of the same post for his own life and that of Thomas Stanley, jun., of Cumberloe, Herts, whichever is the longer, "together with the profits to arise and come by the acting of plays or operas in any theatre or theatres within that our kingdom." *P.* 1. *S.P. Dom. Entry Books III. pp.* 67-68.

[14 July.] Hampton Court. ENTRY of PETITION.

Elizabeth, Countess of Kildare, asks to have £2,000 paid her husband's trustees the better [?] to defray her journey here.

The King directs the matter to be referred to the Lord Treasurer for consideration and report. The King is anxious to favour the petition. *P.* ½. *S.P. Dom. Entry Books XIII. p.* 136.

15 July. Hampton Court. ENTRY of SAME to the ATTORNEY-GENERAL concerning Londonderry.

King James I. conferred certain fishings and lands on the see of Derry for its improvement, and we have confirmed them to the present Bishop. You shall include in the grant now passing the Great Seal for the city of London concerning Londonderry, a grant securing these lands, fishings, &c., to the Bishopric. You shall

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further prepare a clause reserving to us or the Lord-Lieutenant the advowsons within the limits of the grant to the city of London. Meantime the grant shall not pass and you shall intimate to the city our pleasure that these two clauses be added to the grant. *P.* ½. *S.P. Ireland* 308, *pp.* 93-4.

18 July. Hampton Court. The KING to the "LORD DEPUTY" for settling Commissioners for the Settlement of Ireland.

When the Bill of Settlement shall be fully passed you shall appoint Henry Coventry, Esq., Sir Edward Deering, Sir Richard Ransford or Rainsford, Sir Thomas Beverly, Edward Smith, Edward Cooke, and Winston Churchill, esquires, Commissioners for executing the act. Any three or more of them including *either* Coventry, Deering, Cook or Churchill *or* Ranisford, Beverly or Smith, shall form a *quorum*, for all purposes except the tendering of an oath. *P.* 1. *S.P. Dom. Signet Office V. pp.* 233-4.

Also entry of same. *P.* 1. *S.P. Ireland* 308, *pp.* 94-5.

23 July. Council Chamber, Dublin. PROCLAMATION by the LORDS JUSTICES and COUNCIL.

As the payments due to the Exchequer have come in very slowly we have found it necessary to assign certain rents and payments to officers and soldiers for their pay. We now hear that the officers and soldiers exact money from the people in an oppressive way, "demanding money under the name of delinquent money or riding money," &c. We desire that on the one side the King's subjects pay what they owe into the Exchequer, and on the other that no officer or soldier quarter upon any person or demand from him any sum other than what is assigned in the assignment given him. Any officer or soldier offending against this proclamation shall be discharged and put out of the army. *Pp.* 1½. *Overwritten, &c.*, as previous proclamations [*see that of* 31 *July*, 1661, *No.* 2]. *S.P. Ireland* 309, *pp.* 62-3.

23 July. Dublin. ORDER by the LORDS JUSTICES in the case of the children of the late LADY NETTERVILL.

The children have as yet received no benefit of our order for payment of 50*s.* a week to them. Half a year's payment was due on 25 March last, and three months' more payment on 25 June. Alderman Bellingham shall see them paid up to 25 June last from the first sums which come into His Majesty's Treasury. *P.* ½. *Overwritten by the* Lords Justices. *Endd. S.P. Ireland* 310, 67.

24 July. Hampton Court. The KING to the [LORD LIEUTENANT] for MATHEW HORE, of Dungarvan, co. Waterford.

He shall be restored to his father's and wife's estate. A recent order to this effect has not been carried out owing to the death of

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his father. Those who hold his estate shall be reprised by being given the lands, outside that estate, which they now hold in excess [of what is due to them] owing to over-admeasurement. *P.* ½. *S.P. Dom. Signet Office V. p.* 245.

26 July. Hampton Court. The KING to the [LORD LIEUTENANT] for EDWARD, VISCOUNT LOFTUS OF ELY.

Viscount Loftus petitions showing that by an illegal decree passed against his father in 1637, he was forced to pass his estate in Ireland to Robert, Lord Dillon, Earl of Roscommon (since deceased) Sir Adam Loftus and Sir Philip Mainwaring; that this decree was reversed by order of the House of Lords in England and a reconveyance ordered to Adam, Viscount Loftus, and his heirs, but that Sir Philip Mainwaring (lately dead) has passed his interest in the estate to some persons unknown to the petitioner. He asks for a bill to be sent to the Irish Parliament to confirm him, as the heir, in the estate. You shall consider the case and, if you think well, send a bill for our approval of the nature suggested. *Pp.* 1½. *Ibid. pp.* 241-2.

Same. SAME for THOMAS LYNCH, of Galway.

Lynch served our cause long and well and in 1649 readily lent £2,000 to the Marquis of Montrose, which was never repaid. You shall show him special favour in the way of his trade and merchandise. *P.* ½. *Ibid. p.* 255.

27 July. Hampton Court. The KING to the [LORD LIEUTENANT] for SIR JAMES SHAEN.

Directing that he be appointed a baronet in Ireland, with all privileges and without the fees usually payable to us in respect of that dignity. *P.* ½. *Ibid. p.* 264.

27 July. Council Chamber, Dublin. COPY of ORDER by the LORDS JUSTICES and COUNCIL.

Sir Henry Tichborne, Sir Paul Davys and Sir Theophilus Jones, of this Board, are directed to repair to Howth where the Duke of Ormond, Lord Lieutenant of this Kingdom, is expected by the blessing of God, to land to-day, and shall signify to him that they have been sent by the Justices and Council to attend him and congratulate him on his arrival.

They shall inform his Grace that the Earl of Orrery is prevented by "an accession of ye gout" from going to meet his Grace. The Lord Chancellor and body of the Council now about Dublin shall attend the Lord Lieutenant at Howth to-morrow to know his pleasure. *Pp.* 1½. *Overwritten with signatures (copies) of the* Lords Justices *and with signatures (copies) of* nineteen members of the Council, *Endd. S.P. Ireland* 310, 68.

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29 July. ABSTRACT of a SPEECH DELIVERED by DR. MOSSOM, Dean of Christchurch, and Prolocutor of the Lower House of Convocation, before the LORD LIEUTENANT of 29 July, 1662.

We offer humble congratulations, following the oblation offered by the Primate of all Ireland this morning. We hope your government will be "learning and religion's sanctuary."

I know that your Grace thinks that piety is the best policy and believes in what Aristotle says in his *Politics* that Οὐ νομος ἀλλὰ μεν ἀνὴρ ἀγαθός[1] makes a prosperous state. The good man, the just magistrate, is your Grace. After the many addresses of to-day we have only to thank you for assuring us of your patronage. *P.* 1. *Endd. with date. S.P. Ireland* 810, 69.

31 July. Hampton Court. DRAFT of the KING to the [LORD LIEUTENANT] for the EARL OF DOVER.

We send you the Earl's petition and your report on it, touching his discovery of concealed lands and rents, and a grant to him of the arrears thereof in recompence for his efforts in discovering them. You shall commission on these lines to the Earl, for our profit and his advantage. *P.* ½. *Ibid.* 70.

July. Hampton Court. The KING to the LORDS JUSTICES regarding the appointment of a LORD LIEUTENANT.

When we first appointed you to be Lord Lieutenant we intended that you should remain in that post only till we could find a fit person as your successor. "The satisfaction we have received in the peaceable state of that country since you governed there, and in your faithful and painful discharge of the trust we committed to you in a time of great unsettlement made us the less forward in resolving upon the change. But now, considering the inconveniency which may come by keeping our power longer in divided hands." We have settled to appoint the Duke of Ormond Lord Lieutenant, whose coming has been long deferred by necessary causes. He is now going over with full commission, and we direct you to hand over to him the sword with the usual ceremonies and to receive him as our Lord Lieutenant. "For yourselves" rest assured that we recognise and shall requite your good services. *P.* 1. *S.P. Dom. Signet Office V. pp.* 207-8.

[About same.] COPY of "The humble and hearty unanimous ADDRESS of the OFFICERS of the KING'S ARMY IN CORK, on behalf of themselves and their soldiers, to the DUKE OF ORMOND, Lord Lieutenant of Ireland.

Expressing loyal and Protestant sentiments and promising support. *P.* ½, *with signatures* (*copies of*) :—

Shannon.	Barrymore.
Richard Kyrle.	John Jephson.
John Read.	Richard Goodwin.
John Wakeham.	W. Caudle.

(1) The accents are left as in the Original MS.

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Ul. Fitzmaurice.
Robt. Russell.
Laurence Hyde.
Robt. Smyth.
Wm. Supple.
Henry Heaver.
John Travers.
St. John Broderick.
Geo. Dillon.
La. Roper.
Digby Foulke.
Edw. Nicholas.
Richd. Dashwood.
Wm. Penn.
John Tynde.
Richard King.
Henry Pyne.
Robt. Rayner.
Jos. Seymour.
Wm. Ballard.
N. Purdon.
Randolph Clayton.
John Love.
W. Brady.
Francis Gough.
Richard Wakeham.
Will. Hull.

P. 1 (*large.*) *Endd.* *S.P. Ireland* 310, 71.

August, 1662.

4 Aug. Council Chamber, Dublin.

Proclamation by the Lord Lieutenant and Council.

We are informed that several collectors of the several poll moneys lately raised in the kingdom for the King's service have not yet accounted in the Exchequer for the sums they received. Their names are:—

For the single poll money.

Thomas Ash for Meath.
Capt. Wm. Hartwell for Clare.
Francis Brent for Mayo.
William Smith for Monaghan.
Humphry Evat for Tyrone.

For the first double poll money.

Christopher Oliver for the city and co. Cork.
Sir Arthur Denny for co. Kerry.
Capt. Thos. Cullen for co. Clare.
Henry Crofton for co. Leitrim.
Thomas Crofton for co. Sligo.
Owen Vaughan for co. Mayo.
Henry Waddington for co. Galway.
Thomas Picken for co. Fermanagh.
Thomas Chambers for co. Armagh.
John Nisebite for co. Donegal.
James Hamilton for co. Down.
Humphry Evat for co. Tyrone.

For the second poll money.

Christopher Watkins for co. Wicklow.
Thomas Hart for co. Wexford.
John Clark for co. Catterlagh [Carlow].

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Henry Bren for co. Kildare.
James Wyer for King's Co.
Gilbert Rawson for Queen's Co.
Thomas Aske for co. Meath.
Henry Towneley for co. Louth.
St. John Broderick for co. Cork.
Sir Arthur Denny for co. Kerry.
Capt. Wm. Hibbart for co. Tipperary.

(He paid to 1*s.* 10*d.* if "insolvences" of £266 7*s.* 6*d.* be allowed him.)

John Wright for co. Waterford.
Captain Thomas Cullen for co. Clare.
Henry Waddington for co. Galway.
Henry Crofton for co. Leitrim.
Thomas Crofton for co. Sligo.
Owen Vaughan for co. Mayo.
Thomas Chambers for co. Armagh.
James Hamilton for co. Down.
Hugh Smith for co. Antrim.

Smith paid for the co. Antrim in full, but, for want of an estreat, could not account.

John Huitch for Carrickfergus.
Humphrey Evat for co. Tyrone.
Thomas Picken for co. Fermanagh.
Alexander Knox for co. Donegal, who paid in full if "insolvences" be allowed.
Wm. Smith for co. Monaghan.
Paul Braisier for co. Londonderry.

The following persons have not discharged their account of the second poll money:—

James Halsesey, collector in co. Tipperary.
Francis Brent, collector in co. Mayo.
James Hamilton, collector in co. Down.
Richard Warburton, collector in King's Co.
Wm. Hartwell collector in co. Clare.
Christopher Oliver, collector in co. Cork and city of Cork.
Wm. Hartwell, collector in city and co. Limerick.
John Mourstian, collector in co. Donegal.
Sir Arthur Denny, collector in co. Kerry.
Thomas Ash, collector in co. Meath.
Henry Waddington, collector in co. Galway.

The first double poll in Leinster was not accounted for by Abraham Highmore for Carlow and Henry Towneley for Louth.

The Commissioners of the same counties moreover have not returned to the Vice-Treasurer, Receiver-General, &c., the estreats of the said poll moneys as they should have done; and the persons below named, who, by several proclamations of the late Lords Justices and Council, were appointed collectors of the quit rents payable to the King, have not yet accounted to the Exchequer for

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the moneys received by them. These persons, whose delays have prejudiced the Government, might justly be proceeded against, but, in favour to them, we give them this premonition ; commanding them to bring in and pass their accounts in the Court of Exchequer before the last of August before the Earl of Anglesey, the Lord Chief Baron and the Auditor-General. Failing this they shall appear here to answer for their neglects.

We also command the Commissioners of the poll money in each county to return extracts for their several counties to the Exchequer before 20 August next. Their names for the year or two years ending Easter, 1662, are:—

Meath, Arthur Dillon; King's Co., John Wakely; Queen's Co., John Gilbert; Kilkenny, John Wheeler; Wexford, John Tench; Louth, Wm. Toxteeth ; Connaught and Clare, Lords Collooney and Castle Coote; Armagh, Francis Chambers; Donegal, Wm. Dutton—for the year ending Easter, 1661; and George Carey for the year ending Easter, 1662. Fermanagh, Geo. Stack; Londonderry, Paul Brazier ; Down, Carrol Bolton ; Monaghan, Tristram Carey ; Tyrone, Humphrey Evat.

Pp. 5½, *with sign manual* (*copy*) *of the* Lord Lieutenant *and signatures* (*copies*) *of* eighteen members of the Irish Privy Council. Also with note of printing by Crook and sale by Dancer as foregoing proclamations. *S.P. Ireland* 309, *pp.* 64-69.

6 Aug. ENTRY of LICENCE to SIR EDWARD MASSEY.

To carry or send over horses and mares to Ireland. *Two lines.* *S.P. Dom. Entry Book VII. p.* 172.

6 Aug. Hampton Court. ENTRY of WARRANT to [ ].

Directing him to have a mace of the usual size and value prepared for the use of the House of Commons in Ireland. When ready, it shall be forthwith sent to Ireland. *Six lines. Entry.* *S.P. Ireland* 308, *p.* 95.

9 Aug. Hampton Court. The KING to the LORD LIEUTENANT for MARY COWPER.

We refer to you the petition of Mary Cowper, widow of Conor O'Brien, of Lemineagh [Leamaneagh], co. Clare, and wife of John Cowper. She is likely to be charged with the murder of one Thomas Baker, of which she says that she is innocent, but cannot clear herself, and she therefore asks our pardon. If you find the facts as stated in the petition, you shall issue our pardon to her. *P.* ½. *S.P. Dom. Signet Office V. p.* 245.

13 Aug. Whitehall. COPY of WARRANT under the SIGN MANUAL to the GOVERNOR and to the MAJOR [MAYOR] OF GALWAY and each of them.

Having "infallible testimonies of the piety, loyalty and learning of James Morphy, Doctor of Divinity, together with his personal

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sufferings for our cause and interest" we have granted him our Royal letter to the Major of Galway and that he "be established Warden of our college and collegiate church of Galway in our Kingdom of Ireland." As we understand that it is much to our interest that a person of his known integrity should be continued in such a trust, and as "we are informed that the fanatick party of that corporation have made a faction endeavouring to remove the said warden and to bring in one Vaughan in that place to the promotion of all dangerous designs by which they have abused our grace and favour expressed in our former letters to that Corporation," we direct you to keep Dr. Morphy in that post and use your authority for preserving him in peaceable possession thereof, no matter what election may have taken place. *P.* ¾, *with copies of sign manual of* Nicholas' *countersignature and verified by* Henry Bridgeman, D.D. *Endd. S.P. Ireland* 310, 72.

15 Aug. Council Chamber, Dublin.

ENTRY of PROCLAMATION by the LORD LIEUTENANT and COUNCIL.

The late Lords Justices and Council, observing how slowly the King's debts and revenues came in, and desiring at once to ease the King's subjects and to coerce defaulters, decided that, by way of essay only, assignments should be made of many of the said rents, debts, and casualties to sundry of his Majesty's captains and others [in payment] of their allowances, &c. Since this time, may be, acquittances have been assigned by his Majesty's officers of the receipt which have been accepted by the said captains, &c., who thereupon gave allowance of so much of their entertainments and dues as the said acquittances (together with the fees allowed to the officers) amounted to. All these the said captains, &c., were to receive from the parties indebted to the King and to deliver up to them their acquittances for their discharge. This cause did not hasten the payment of the King's debts, was a burden to subjects who were no debtors, a disappointment to the army and a difficulty to the officers of the Exchequer. The King has now directed us, and the Vice-Treasurer, that the former course of the Exchequer be executed, and that the Vice-Treasurer, or his deputy, the Clerk of the Pells and two Chamberlains, or their deputies, attend at the usual places of payment for the convenience of the subject, and take steps by sending out pursuivants, &c. [*details given*] to see that the revenue is paid in when due. His Majesty desires his tenants and debtors to know that they will be proceeded against with all severity if they do not make their payments at the appointed time.

We have decided and declare that henceforward no assignments of debts due to the King shall be given to any person. All persons who do not pay up their half-yearly rents, quit rents, &c., when due at Easter and Michaelmas shall be summoned before the Lord Lieutenant or otherwise coerced. Any person failing to pay in what may be due from him from the excise or customs will be treated in the same way.

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Those who disobey this proclamation will not only incur the penalties before mentioned, but will be liable to be considered as obstacles to the King's service.

This proclamation to be posted in the shire towns, sheriff's county courts, and market towns, &c., in Ireland. *Pp.* 3½, *with* signatures and note, &c., as the proclamation of Aug. 4, *q.v. S.P. Ireland* 309, *pp.* 70-73.

18 Aug. Hampton Court. The KING to the LORDS JUSTICES for SIR JAMES DILLON.

Granting him a pension of £500 a year out of the Irish Exchequer or some other certain source of revenue there. The pensions shall be paid out of the Exchequer or some other certain source of revenue. Favourable clauses. *P.* ½. *S.P. Dom. Signet Office V. p.* 257.

18 Aug. Dublin Castle. ENTRY of PROCLAMATION of the LORD LIEUTENANT and COUNCIL.

Directing all officers of the Irish army to return to their garrisons and commands and not to depart them without leave. The chief officer of every troop and company shall report from time to time as any of the inferior officers who may neglect their duties. *P.* ½, *with* sign manual (*copy*) of Ormond, &c. as the proclamation of Aug. 4, *q.v. S.P. Ireland* 309, *p.* 74.

21 Aug. ORDER by EDWARD GREENE for a consignment of woollen goods.

Consign[ed?] to Mr. John Huysh, of Dublin, on Aug. 21, 1662, which I do hereby revoke and consign to Capt. Richard Kingdon, of Dublin, the following goods.

Signed, Edw. Green.

List of woollen goods, &c.:—

12 pair fine girls' woollen hose at 20*d.* and 12 pair same at 14*d.*

36 pair of children's yellow hose, 12 at 10*d.*, 12 at 7*d.*, and 12 at 6*d.*

24 pair wom[an's] woollen body [bodice?] and other colours at 2*s.*

18 pair men's woollen "sterrups," body and other colours at 2*s.* 3*d.*

6 pair "body worsted tops" at 3*s.*

12 pair body worsterips [*sic*] at 4*s.*

12 pair wom[an's] worsted body at 4*s.* 2*d.*

6 pair fine men's black worsted hose at 4*s.* 8*d.*

6 pair do. do. at 6*s.* and 6 pair at 5*s.* 4*d.*

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24 pair men's grey worsted hose at 3*s.* 10*d.*
24 of same at 4*s.* 4*d.* and 24 of same at 5*s.*
12 pair "fine mixed" [——] at 5*s.* 2*d.*
12 pair of same at 5*s.* 6*d.*
6 pair "'fine mix turn downs" at 7*s.* 9*d.*
12 pair of same, large, at 8*s.* 4*d.*
6 pair of same, very large, at 9*s.* 6*d.*
Two boxes in which the goods were packed, 5*s.* 6*d.*
The whole order comes to £50 11*s.* 6*d.*
The goods were sent to Thomas Higgons of Chester (who signs with his mark) to be forwarded.
P. 1. *Add to* Capt. Richard Kingdon in Dublin, *and with note* "post paid." *S.P. Ireland* 310, 73.

25 Aug. Whitehall. The KING to the LORD LIEUTENANT for SIR JAMES SHAEN.

Sir James petitions asking that certain sums, about £700, which were in charge in our Exchequer of Ireland on 10 June, 1660, against him and his partners (Sir Francis Willoughby, deceased, David Shorne, Francis Shaen, Robt. Meredith, Wm. Lestrange and Edmond Dalton) in respect of certain charges imposed by the late usurper, should be remitted. These charges were remitted by the Act of Indemnity in England the benefit of which, by our letters of 7 February, 1660-[1], we extended to him in Ireland. He further asks that he may set off such sums as are not thereby remitted, but are still due from him, against the sums due to him from the Exchequer. We refer to you this matter and you shall act therein as you think fit. *P.* ½. *S.P. Dom. Signet Office V. pp.* 261-2.

Same. SAME for SAME and for GEORGE CARRE.

Directing that, in answer to their petition, they be paid for their services as secretaries to the late Lords Justices of Ireland at such rate, not exceeding that of £200 a year, as the Lord Lieutenant thinks fit. *P.* ½. *Ibid. pp.* 263-4.

Same. SAME for JAMES GRACE and WALTER, his son.

James Grace and Isaac Daniel had, by patent dated at Oxford 16 April, 1644, a grant of the office of Register of the High Court of Chancery for them or the longer liver of them. By reason of the late distempers and of the death of Daniel, who was killed at Rathmines, this grant never took effect. You shall now, as James requests, accept a surrender of James' patent and grant a fresh one of the post to him and his son, or the longer liver of them, provided you think fit to do so. *P.* ½. *Ibid. pp.* 284-5.

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26 Aug. Whitehall. The KING to the LORD LIEUTENANT for SIR JAMES SHAEN.

Ordering payment to Shaen of such sum, not exceeding £300, as the Lord Lieutenant shall think fit payment for his recent coming to England to advise the King in the settling of the Irish establisbment, &c. *P.* ½. *S.P. Dom. Signet Office V. pp.* 262-3.

Same. SAME to SAME concerning the Provincial Receivers in Ireland.

Having appointed certain persons receivers of our revenue in the four provinces of Ireland, we directed by our letters of 26 February, 1660-[1], that they should have £100 a year, or less, each person. For the benefit of our finances in Ireland, which will suffer if there are distinct receipts [*i.e.* receiving places] of our revenue in different parts of the Kingdom, we desire that these persons should surrender their grants. We are willing that you should pay them, in consideration of such surrender, compensation not exceeding £1,200 each. *Pp.* 1½. *Ibid. pp.* 260-261.

[26 Aug. Whitehall.] ENTRY of PETITION.

James Halsall and John Cooper desire the arrears of rents due to the King out of concealed lands and over-measurement of lands as yet unpardoned, they being obliged to pay into the Exchequer of Ireland one-fourth part.

The King directs the petition to be referred to the Duke of Ormond for consideration and report. *P.* ½. *S.P. Dom. Entry Books XIII. p.* 187.

27 Aug. Whitehall. The KING to [the RECEIVERS of the ADVENTURERS' MONEYS] for EDWARD PROGER.

Directing that, after the sums payable out of the said moneys to the Duke of Ormond, Sir Maurice Eustace, the Earl of Anglesey and Sir Edward Nicholas shall have been paid, £5,000 be paid out of them to Proger. *P.* ½. *S.P. Dom. Signet Office V. p.* 255.

Also draft of same and note of later date enforcing the order, from which it appears that only £1,000 has been paid to Proger. *P.* 1 *and p.* ½. *Endd. S.P. Ireland* 310, 74 *and* 74*a*.

28 Aug.[1] Whitehall. The KING to the LORD LIEUTENANT for SIR JAMES SHAWNE [SHAEN].

On 30 March we appointed Shaen Chief Register, clerk, &c., to the Commissioners for executing our Declaration of November 30, 1660, and he or his deputy since acted as such. Whilst he was

(1) *See* above at 20 June, 1662.

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here and detained here in our service, Sir John Percivall obtained a grant of his place from us without even summoning Sir James to be heard, and in his grant obtained particular clauses for suspending Sir James and for obtaining possession of the books, &c., in his office. On August 4 you, having heard counsel in the case, directed that the clauses in Percivall's grant which were disadvantageous to Sir James should be left out of the grant. You shall see that Sir James shall not be prejudiced in any way by the grant to Sir John, which, we conceive, is null in law. You shall take all steps necessary to confirm Sir James in his office. *Pp.* 2. *S.P. Dom. Signet Office V. pp.* 258-60.

29 Aug. Dublin. PROCLAMATION by the LORD LIEUTENANT and COUNCIL.

Petitioners are to take notice that they may expect their petitions to be delivered to them, answered, within four days of their delivery in at Secretary Lane's office under the Council Chamber, near the Custom House. Answers will be given unless public business is so pressing that petitions cannot be attended to. Petitioners need not call in the meantime for their petitions. Petitions will be delivered out from the Secretary's office and not from the Castle; nor are petitioners to resort there in the endeavour to get their petitions. *P.* ½, *printed and with notes and signatures, &c.* as the proclamation of 18 August, *q.v.* *S.P. Ireland* 310, 75.

Also entry of same. *P.* ½. *S.P. Ireland* 309, *p.* 75.

29 Aug. Council Chamber, Dublin. The DUKE OF ORMOND to LORD CONWAY and KILLULTAGH.

The four subsidies passed by the present Parliament have been assessed and estreated in the Court of Exchequer. You are assessed at £35 in each, in all £140. Please pay this sum to Sir Paul Davys at once. Three of the subsidies are already due and the fourth is due on Sept. 1. You shall pay those due to Sir Paul Davys. *P.* ½. *Signed by the* Duke of Ormond. *Sealed. Conway Papers. Add. to Lord Conway and evidently a formal document in which the name, sums and date are filled in in a different hand from that which the text is written. S.P. Ireland* 310, 76.

About Aug. PAY LIST for the OFFICERS and MEN [of LORD TAAFFE'S REGIMENT].

Gives the daily pay of a colonel (12*s.* a day), a lieutenant-colonel (7*s.* a day), a major (5*s.* a day) a quarter-master and marshal (4*s.* a day), a surgeon (4*s.* a day), his mate (2*s.* 6*d.* a day), and a gunsmith (1*s.* 6*d.* a day); also of a captain (8*s.*), lieutenant (4*s.*), an ensign, four sergeants, three corporals, one "gentleman of the arms," two drummers and fifty "soulgiers."

There are ten companies, each of fifty men, with officers, and their pay comes to £912 6*s.*, 8*d.* a month. The pay for staff officers being added, the whole is £962 14*s.* 8*d.* a month. *Endd. Undated. Ibid.* 77.

September, 1662.

General date 8 Sept.

Papers relating to Sir Thomas Chamberlain's Case.

Petition by Sir Thomas Chamberlain or Chambrelan to the King, showing that:—

Petitioner's father-in-law, Philip Burlamachi, assured petitioner in 1641 that he would do the Royal cause a great service if, by himself and his friends, he advanced money for reducing the rebels in Ireland, and also sent corn to relieve the poor Protestants who fled into various seaports in Ireland. He assured petitioner that he would be repaid. Petitioner accordingly paid in £1,600 to the appointed Treasurers as an adventure on Irish land in the manner prescribed by the Act [of 1642] and sent from France several vessels laden with corn. Three of these came to the port of Dublin, whereby petitioner received great loss by the decay of several men unable to pay. Also, as the King's army in Dublin was in great necessity, the Council were compelled to take corn belonging to petitioner to the value of £645 at the market price, as will appear by bills of exchange, copies whereof accompany this petition. Petitioner was never paid for this loss, though many others have long since been paid in money, or have lands set out to them in consideration for their forbearance, and have had far better terms than petitioner. Petitioner refused to take employment from those in power or meddle with the King's estate, and assisted many of his family who were ruined by the late distracted times. He has at present only got an allotment of lands under the act passed by assent of the late King, which allotment belonged to one Stephens who was killed in open rebellion. Yet petitioner is disquieted in his possession of these lands by persons pretending a right from the said rebel.

He prays for confirmation in this estate and for satisfaction of his two bills of exchange with consideration for his forbearance: or for satisfaction in land in Ireland. He is ready to serve the King further. *P.* ½. *Signed.* *S.P. Ireland* 310, 78. *Followed by*—

Copy of bill of exchange.

Drawn by Sir Wm. Parsons, Sir John Borlase and fifteen other members of the Irish Privy Council upon ———— for £300, payable at thirty days' sight to Abraham and Thomas Chamberlain, for value received here of Raphael Hunt for the King's service. *P.* ½. Dated 14 March, 164⅔, Dublin.

Copy of similar bill for £345 payable to same the 30th of July, 1643, in case the above is not paid. *P.* ½. Dated 13 May, 1643. *In all, p.* 1. *Ibid.* 79.

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Note on the land allotted to Abraham and Thos. Chamberlain in the distribution of Irish land. Their lot falls in the north-west quarter of the barony of [Counello,[1] co. Limerick] and is as follows :—

They are to have for £1,250, to have 2,777a. 3r. 4p. Irish measure. Out of the south part of Knockcoulekeere between the river Veale on the west and the Mount of Clenlus on the east 820a. 0r. 1p.

They are also to have :—

Ballinash, ⅓ of a ploughland	in	Shanagolden parish.
Knockneboyle, ⅔ „ „	„	Longhill „
Tyermore and Rathfara, 1	„	Shanagolden „
Baneage, ¼ „ „	„	Kilmoylan „
Rathbriden, ¼ „ „	„	„ „
Donmoylin [Dunmoylan] 1	„	Dunmoylin [Dunmoylan] „
Balisteen, ½ „ „	„	Kilbraderam Kilbradream [Kilbradran] „
Carne, ⅓ „ „	„	
Doncahey, 1 „ „ [Dooncaha]	„	Donemoylin [Dunmoylan] „
Ballenclaba and Corbally, ⅓	„	Shamagole. [Shanagolden] „

From the north part of Kilcolman next to Donmoylin by an east and west line he is to have 19 acres odd in Kilmoylin [Kilmoylan], and Donemoylin [Dunmoylan] parishes.

Certain other lands are allotted to Thomas Chamberlain out of the west side of "the said Curaghe" and Carrowbane, from Flayne [Fleanbeg or Fleanmore], Kilterie [Kilteery], and the north part of Clonlehard in the parishes of Kilfargus, Lough, and Kilmolyn [Kilmoylan]. *P.* 1. *S.P. Ireland* 310, 80.

The King to the Lord Lieutenant for Sir Thomas Chamberlain.

Sir Thomas adventured £1,600 at the beginning of the late rebellion in Ireland and drew, in payment, the lands of one Stephens, killed in open rebellion. Sir Thomas' title to these lands is nevertheless now questioned and he also cannot obtain payment for certain corn delivered by him for the use of the army in Ireland at the beginning of the war. We referred the matter to you and Sir Maurice Eustace and you reported favourably on it. You shall put him in as good position as others who have claims of this kind. *P.* ½. Dated Whitehall, 8 Sept., 1662. *S.P. Dom. Signet Office V. pp.* 265-6.

This concludes the documents relating to this case.

[1] It appears that Chamberlain's lot fell in this barony, *see the Cal. of State Papers Ireland Adventurers*, 1642-59, *p.* 355.

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8 Sept. Whitehall. The KING to the LORD LIEUTENANT concerning the EXPORT OF WOOL.

Several persons have lately exported wool and wool-fells out of the country in large quantities, disregarding the statutes against such proceedings, the heavy penalties of forfeiture of bonds and other punishment and the great decay of "trade and of that principal staple manufacture of cloth-working within our kingdoms of England and Ireland thereby occasioned." We direct that an office shall be erected for registering all bonds, &c., regarding export of wool and for collecting such bonds when forfeited. You shall pass letters under the Great Seal giving power to Sir Nicholas Armorer, Kt., and Gabriel Silvius, Esq., to erect such an office for registering all such bonds and all such forfeitures thereof as take or took place after 25 August last, and for collecting the forfeitures. They shall have power to appoint deputies for 21 years from that date, and, for the maintenance of the office, shall be entitled to take the sums so forfeited; in respect of which also they may make compositions with those who become liable to pay them. They shall pay in $\frac{1}{8}$ of what they recover to the Exchequer, keeping the rest for themselves, and the Court of Exchequer shall issue such commissions, writs, &c., as they may desire. Beneficial clauses. *Pp.* 5. *S.P. Dom. Signet Office V. pp.* 266-9; *and* similar letter substantially the same. *Pp.* 3½. *Ibid. pp.* 297-301.

Also draft of same. *Pp.* 5¾. *Endd. S.P. Ireland* 310, 81.

And entry of same. *S.P. Dom. Entry Book IX. p.* 48.

Same. SAME to SAME for JOHN FARRELL.

Farrell is, according to the Act of Settlement, to have lands of the yearly value of £50 set out to him out of the lands of Cleenoghra [Clonoghra], Lackloonagh, Cloonfore, Knappoge and Cloonderagh [Cloondara] with their appurtenances, in the co. Longford. He desires that, if these are worth more than £50 a year, he may have the right of preemption as to the surplussage using his arrears, adventures, &c., for that purpose. You shall grant this request. *P.* ⅔. *S.P. Dom. Signet Office V. p.* 280.

9 Sept. Whitehall. SAME to SPEAKER SIR AUDLEY MERVYN for SIR MARTIN NOELL.

Sir Martin is detained with us for our service, having given us information regarding certain Irish bills which we have now passed. We desire his services here still and direct that he be dispensed from attending our House of Commons in Ireland, and suffer no prejudice in the matter of satisfaction due to him. *P.* ⅔. *Ibid. p.* 269.

Same. SAME to the LORD LIEUTENANT for SAME.

Mentions foregoing and directs the Lord Lieutenant to use all speed in the matter of the charter of Wexford; also that Sir Martin suffer no prejudice in the matter of his interest in the Marquis of Antrim's Wexford estate through his absence in England. *P.* ⅔. *Ibid. p.* 270.

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9 Sept. Whitehall. The KING to the COMMISSIONERS of the DECLARATION for the SIR MARTIN NOELL.

Directing them to show favour to Sir Martin in his absence in any matter coming before them in which the said Sir Martin may be interested. *P.* ⅛. *S.P. Dom. Signet Office V. pp.* 270-71.

Same. SAME to the LORD LIEUTENANT for ROBERT MANLEY.

By our letters of 3 April, 1661, was granted to Manley the office of marking, gauging, and branding butter casks and vessels in England and Wales for 31 years, at £20 a year, the grant to commence after the expiration of a former grant. Our grant also conveyed to him the same office for Ireland. We recommend him to you for confirmation therein. *P.* ¾. *Ibid. p.* 275.

11 Sept. Whitehall. SAME to SAME concerning the foundation of the Royal Society.

Having now constituted a society called the Royal Society "consisting of able and fit persons for the improving the knowledge of natural things and all useful arts and mechanical practises by experiments," being moved thereto by the inclination we have to encourage and advance all ingenious and commendable undertakings, and especially to promote solid and real learning. And knowing very well your affection to all such matters we direct you to use your utmost endeavour to obtain voluntary contributions towards this society from all the adventurers and officers who have been settled in Ireland since the commencement of the late troubles or are concerned in our Act of Settlement, and also from all the officers of the army now there. The subscriptions may be in land or money "for enabling the Society to carry on so great and laudable a business." You shall move in Parliament in the matter and let it be known that as we intend to bestow largely on this Society "of which we declare ourselves the founder and patron" so we shall regard payments made thereto by others, &c., as made in our special service. *P.* 1. *Ibid. pp.* 271-2.

Also entry of same. *P.* 1. *Undated. S.P. Ireland* 308, *pp.* 95-6.

Same. ENTRY of SAME to SAME for LORD CHANCELLOR EUSTACE.

Directing that towards payment of the Lord Chancellor's fee as Speaker of the House of Peers he be given a grant of the lands of which he holds by *custodium* in Dublin and Kildare, which are not in the hands of adventurers, soldiers or reprisable persons. *P.* ½. *Entry. S.P. Ireland* 308, *p.* 97.

Same. SAME for JOHN BLUNT.

Referring his petition to the Lord Lieutenant. The King is anxious to reward Blunt and wishes to know if the petition may be granted without prejudice to the public service. *P.* ¼. *Ibid. p.* 98.

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11 Sept. Whitehall. ENTRY of the KING to the LORD LIEUTENANT for SIR WM. BLACKESTON.

Recommending him to the Lord Lieutenant's favourable notice. He has been very loyal. *P.* ½. *S.P. Ireland* 308, *p.* 98.

19 Sept. Whitehall. SAME for CAPTAIN JAMES ROCHE.

Directing that Captain Roche be licensed to exercise and practise in Ireland the lottery called the "Royal Oak," which he has invented, under such conditions as the Lord Lieutenant shall think proper. *P.* ⅔. *S.P. Dom. Signet Office V. p.* 273.

Same. SAME to SAME on behalf of ERASMUS SMITH.

We send you the petition of Smith who complains that certain lands to which he has a good claim as an adventurer are granted by patent to one Sir John Stephens, Kt., on pretence that they were concealed. If you find that they were not concealed, and were occupied by Smith on 7 May, 1659, and that he paid quit rent for them, you shall amend our grant to Stephens so that Smith may enjoy what is rightly his. Sir John Stephens shall look out elsewhere, in that case, for the concealed lands we intended for him. *P.* ¾. *Ibid. pp.* 273-4.

19 Sept. Council Chamber, Dublin. ENTRY of PROCLAMATION by the LORD LIEUTENANT and COUNCIL.

By the proclamation of 29 January, 1660-[1], the Lords Justices and Council ordered that the Mexican piece of eight or Civil Rixdollar or Crossdollar, the half and quarter and one-eight pieces of the same should pass current at certain prices [*for which see above p.* 197. *The prices are repeated in this document*]. The Mexican plate pieces commonly called pillar pieces are of the same fineness as, and of greater weight than, the other Mexican and Civil pieces; yet many of the inhabitants refuse to accept them at their value. We declare that the pillar pieces—with their half, quarter and one-eighth pieces—shall be within the late proclamation and shall be received and pass current at the same rate and proportion as the Mexican Civil pieces, &c., and payments from and to the King in this coin shall be so valued; provided that all pillar pieces so used shall weigh, the whole piece, 17 dwt. Troy weight, and the half, quarter &c., in proportion. *Pp.* 1½, &c., as previous proclamations of Aug. 4, &c. *S.P. Ireland* 309, *pp.* 76-7.

Same. ENTRY of PROCLAMATION by the LORDS JUSTICES and COUNCIL.

By the Act entitled "an Act for the subsidy of poundage," &c.[1] it is enacted *inter alia* that it shall be unlawful for any person to

(1) 14-15 Car. II. cap. 9 [Ireland].

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lade or cause to be laden, &c., from any wharf or key on to any "lighter, gabbard, bootom boat, ship," &c., any merchandise for transport across the sea, or to land any such merchandise from any "lighter" [&c. as before] except in day light, *i.e.* between sunrise and sunset in the months March-September [inclusive] and between 7 a.m. and 4 p.m. in the other months, or to land such goods except at the ports, &c., to be prescribed by the Lord Lieutenant and Council and where customers and searchers have usually been resident. The penalty for breach of this statute was forfeiture.

The Act entitled "an Act for the settling of the Excise," &c.,[1] enacted that no ship, &c., shall be laden or unladen, &c., at any wharf, &c., except she were first entered in at the Custom House and be so laden or unladen except in daylight, &c. [*see* last par.] and at the places where the custom houses are or at places prescribed by the Lord Lieutenant and Council on the application of the Commissioners of Excise, &c. The penalty in this case also was forfeiture.

We therefore prescribe the following to be landing places within these Acts:—

In Dublin - - -	The Custom House Key [Quay.]
In Wexford - - -	The Common Key and French's Key.
In Ross - - - -	The Custom House Key.
In Waterford - - -	The whole Key of Waterford.
In Dungarvan - -	Custom House Key.
In Youghal - - -	Same.
In Cork - - - -	Same.
In Kinsale - - -	Same.
In Baltimore - - -	The old Custom House Key, the Abbey Strand, Castle Strand, Castle Key, Block-house Key, Town Strand, Black Rock.
In Limerick - - -	The Key of Limerick. The Pool.
In Galway - - -	The Custom House and Town Keys.
In Sligo - - - -	The Limekil[n] under Sligo fort, the Moyne under the Abbey of Moyne, Ballyshannon.
In Killybegs - - -	The usual place of landing.
In Londonderry - -	The Slip Key.
In Coleraine and Ballitra-	The Custom House Key.
In Carrickfergus - -	The Key of Carrickfergus, Dock of Belfast, River of Larne, River of Glenarm.
In Donaghadee - -	The Custom House Key.

[1] 14-15 Car. II. cap. 8 [Ireland].

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In Strangford- - -	The Key of Strangford, Port ferry.
In Dundalk & Carlingford	The Custom House Key.
In Drogheda - - -	The Same.

The Commissioners of Excise may suppress some of these places and add others if they think such changes conduce to His Majesty's service. *Pp.* 4½, *with signatures, &c. as in foregoing proclamation. S.P. Ireland* 309, *pp.* 80-83.

22 Sept. Council Chamber, Dublin. PROCLAMATION by the LORD LIEUTENANT and COUNCIL.

Being informed that much waste is daily committed upon lands in Ireland by adventurers and others who are in possession by virtue of pretended leases of the late usurpers or by Commissioners appointed for settling of lands, and that much destruction is made on the woods on the said lands, we order all persons so in possession not to allow any such waste to be made "except for the necessary bootes" until we send further orders in the matter. Sheriffs Justices, &c., are to see this proclamation carried out. All trees cut down and remaining on the lands and all ware made thereof to be stayed where they are pending our further orders. *P.* ⅔, *with signatures, &c., as in foregoing. Ibid. p.* 78.

23 Sept. Whitehall. The KING to the LORD LIEUTENANT for JOHN BLOUNT or BLUNT, ESQ.

Directing that Blount be satisfied either in the way he asks or in some other manner for the debt due to him from the Crown. The Earl of Manchester, Chamberlain of the Household, certifies that it is a just debt. *P.* ¼. *S.P. Dom. Signet Office V. p.* 274.
Also entry of same. *S.P. Ireland* 308, *pp.* 100-101.

Same. SAME for SIR GEORGE CARTERET and DANIEL O'NEILE, of the King's Bedchamber.

We have farmed out to Carteret and O'Neile the duty of 5*s.* a ton imposed for encouragement of our shipping and navigation, upon all ships of the French King which come into any of our ports to trade. This grant was for seven years from 20 Oct., 1660. They have made no gain in Ireland by this grant owing to the non-settlement of the duty there. You shall grant them by patent the office as above for 21 years at a rent of £200 a year. *P.* 1. *S.P. Dom. Signet Office V. p.* 276.
Also entry of same. *P.* ¾. *S.P. Ireland* 308, *p.* 100.

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28 Sept. Kilkenny. ELIZA BALL to CAPT. RICHARD KINGDON, at ROSS.

I received your letter regarding the sums I owe to Mr. Ashton. I had £140 worth of cloth of him and have paid him all to £19. I have much of his goods by me yet and have trusted much out which I cannot yet get in money for. Trade is extremely bad and one can hardly get moneys for anything. If, however, he will take wool for the debt, I will send him enough to clear it to Bristol or wherever he appoints. Of the many hundreds which I have out, I cannot now get in £5, or would pay my debt to him gladly.

I paid Mr. Edward Cooke £4 1*s.* of the moneys when he had a note from Mr. Ashton, so £19 odd is all that remains due. *P.* 1. *Add. Endd. S.P. Ireland* 310, 82; *and on back thereof—*

Shorthand notes of a sermon on the text 11 Hebrews v. 6 [?]. Not readable. *P.* ½.

24 Sept. Kinsale. ROBERT SOUTHWELL to WILLIAMSON.

"Dearest Sir,—I can even through an Irish mist find the way to make a letter pass unto you which I wish I could freight but with a sampler of that oare [ore] whereof the mine is rich, and considerable and all your own; for if the truth and validity of a passion has anything to do with causes and inducements thereunto and that it be not mere poetry (*nasci, non fieri*), I think I have as good a rise to the production of generous love as any that experience and gratitude is able to create in me. And this is the only particular I have to descant on so that I perceive from my own practice a man can affect when he can do nothing else.

"Dear Sir,—Let me keep my standing in your good thoughts. They are such as I do congratulate unto myself the happiness of being fruitful, and abounding in the good offspring of fresh and active civilities; and having in their birth this excellent impression, they will surely uphold the proverb "Lamor vero not diverta mai canuto."

My brother sends his love. *P.* 1. (*Hol.*). *Add. Endd. S.P. Ireland* 310, 83.

Sept. DRAFT of the KING to the LORD LIEUTENANT for the EARL OF DOVER.

The Earl petitions showing that considerable parcels of lands are concealed from us by the practice of evil-minded persons who dispose them to their private use to the great damage of the whole, if not prevented. The Earl has incurred travelling and other expenses in discovering these lands, and is anxious to proceed therein for our advantage if he have proper commissions. You shall issue a commission or commissions to him and his nominees to discover all such concealed manors, lands, &c., and grant him

and his nominees the rents, &c., due to us, of all such concealed discovered manors, &c. He shall hold them for 31 years at a small rent, and on such terms as you think right. *P.* 1. *Endd. S.P. Ireland* 310, 84.

About Sept. PETITION of JOHN EYRE to the KING, showing that:—

By an order of 16 September, 1662, the Lord Lieutenant confirmed fully a previous order of the late Lords Justices concerning the lands of Ballyknockan, Monifridan [Monafrechan], Ballinloghan, Cora [Curragh], Garan, Carin [Garrankeeran], Lisivirina [Lissanieran], Cloghan, Coldery [Coolderry] and sixty acres in Lisduffe in the barony of Clonlisk, King's Co., and the lands of Colerosse [Coolross] and Clungawna [Clongowna] in the barony of Lower Ormond, co. Tipperary, which were set out to petitioner in reprisal for certain other lands in the King's Co., which he had surrendered to Colonel Richard Grace. Some of the lands allotted to him were in the time of the usurped power set out to Major George Villiers for English arrears. They became thereby vested in the King and are liable to be passed away from petitioner. They were lately among others in election to be included in the King's grant to Lord Fitzharding, had not his lordship's agents (upon sight of the aforesaid orders) favourably declined the same.

Petitioner prays that he may have the benefit of the reprisals according to the King's letters of 7 Feb., 166½, on behalf of Colonel Grace, touching such adventurers and soldiers as should be removed from any part of his estate and the several orders aforesaid relating thereunto. *P.* ½. *Endd. Ibid.* 85.[1]

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2 Oct. Whitehall. The KING to the LORD LIEUTENANT for ARTHUR, EARL OF DONEGALL.

Directing that he be confirmed in all the lordships, castles, manors, "tuoghs," and which were granted to his uncle, Arthur, Lord Chichester, Baron of Belfast, in recognition of his services to King James I., as Lord Deputy of Ireland and elsewhere. These lordships, &c., were in Donegall, Londonderry, Antrim, Carrickfergus, Armagh, Tyrone, and elsewhere. When Christopher Wandesforde was Deputy it was sought to force fresh patents upon him under colour of his having a defective title. These patents, which were never enrolled or paid for, shall be vacated and new patents for his estates given to the Earl. *Pp.* 1¾. *S.P. Dom. Signet Office V. pp.* 290-91.

(1) Mr. Flood has kindly helped me with the identifications in this document.

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General date 3 Oct. DOCUMENTS RELATING TO THE CASE OF PATRICK SARSFIELD, OF LUCAN.

Entry of Petition by Sarsfield.

Though he is an innocent person he is [not] admitted to have a proviso in his favour inserted in the Act of Settlement to secure him his estate which he possesses by the King's order. Desires such a proviso. *P.* ½, with note of order, dated 18 March, 1662, referring the petition to the committee for Irish affairs. *S.P. Dom. Entry Book XIII. p.* 81.

The King to the Lord Lieutenant for Patrick Sarsfield.

Sarsfield cannot recover his estate which is now in the hands of Sir Theophilus Jones, because Sir Theophilus is protected in possession thereof by a special clause in the act for executing our Declaration and by a special act for securing himself and others [names given]. We did not intend that these enactments should prevent Sarsfield, of whose loyalty we are well assured, from recovering his estate. You shall see him restored either by sending over to us a draft act of Parliament containing the necessary measures of repeal or otherwise. *Pp.* 2½. *S.P. Dom. Signet Office V. pp.* 277-9.

This concludes the documents relating to this case.

4 Oct. Dublin Castle. PRINTED COPY of the LAWS and ORDINANCES of WAR established for the good conduct of HIS MAJESTY'S ARMY in IRELAND by the Lord Lieutenant.

James, Duke of Ormond, Earl of Ormond, Ossory and Brecknock, Viscount Thurles, Baron of Arklow and Lanthony, &c., to the officers, colonels, &c., whom these may concern. We charge you to obey these orders.

Laws and Ordinances of War.

1. We charge all officers to see that God is reverently served. Prayers, morning and evening, and sermons to be attended. Those who absent themselves wilfully to be punished.

2. No one shall speak blasphemy against the Three Persons of the Trinity or against the Christian faith, on pain of death.

3. No one shall take God's name in vain or use unlawful oaths or execrations or commit any scandalous act to the derogation of God's honour upon pain of loss of pay, imprisonment, and such other punishment as a Court Martial shall think fit.

4. The use of traitorous words against the King shall be punished with death.

5. Disobedience to commanding officers and impeachment of the general or principal officers shall be punished with death.

6. Those who fail to repair to the rendezvous appointed by the Lord General shall be punished with death.

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7. No officer shall extort victuals on the march, but all shall pay the usual sums for the same upon pain of death. In time of war if by reason of any march the soldier is in want, then the officer shall seek and provide such diet and lodging for him as shall be thought fit at reasonable rates. The officer shall pay ready money therefor, or shall give tickets which shall be satisfied upon his entertainment.

8. No man that carries arms and pretends to be a soldier shall remain three days in the army after it is on foot except he be enrolled in some company, upon pain of death.

9. Soldiers not repairing to their colours when an alarm is given shall be punished with death.

10. Persons harbouring or supplying the enemy shall be punished with death unless licensed by us to do so.

11. Deserters to the enemy shall be punished with death.

12. No soldier to leave his captain without licence and still serve in the army. Same penalty.

13. No one shall leave the army when encamped in the field or before a town, save by the ordinary ways, on pain of death.

14. None to make known the watchword to the enemy or give wrong word. Same.

15. Lieutenants to remain on duty till relieved, and none to neglect his duty as a sentry. Same.

16. None to presume to draw his sword after the watch is set. Same.

17. None to make a false alarm or discharge a piece or make a noise at night. Same.

18. No person to murder another, or wound him, or draw sword in a private quarrel within a camp or garrison. Same.

19. No corporal or officer of the watch to suffer a soldier to go forth to private fight. Same.

20. None to rehearse seditious words in the presence of the soldiers. Same.

21. None to be present at any unlawful assembly, or assist thereunto. Same.

22. None to demand money in an unlawful assembly or in a manner tending to mutiny, especially when marching towards an enemy. Same.

23. None to abuse those who bring victuals into the camp. Same.

24. No provider or keeper of the King's stores or ammunition to embezzle any part thereof or give a false account thereof. Same.

25. No soldier in muster to answer for another or take two pays or muster in a false name. Same.

26. None to sell spirit or carry away ammunition. Same.

27. No soldiers shall sell or pawn any part of his arms or outfit, his "horse or hacknie." Same.

28. Any who steal any of the King's supplies, arms, &c., value 12*d*. to be punished with death.

29. None to betray any fort or sconce, or retreat from any post which he is ordered to make good, or take passport of the enemy or any rebel in war or rebellion, or make any ignonimous composition with the enemy upon pain of death.

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31. None to throw away his arms or abandon his ensign, &c., in battles. Same penalty.

32. None shall break his order to follow rout or chase, or to seek any prey or spoil, except under orders. Same.

33. All officers and soldiers who take spoil of the enemy to keep the same for disposal by our direction. Same.

34. None to make private arrangements with their prisoners for ransoming them. Same.

35. Rape of women prohibited. Same.

36. Unauthorised destruction of houses, corn, boats, &c., which may be of use to the army prohibited. Same.

37. None shall resist Provost-Marshals or help to rescue offenders. Same.

38. None that are committed shall break prison. Same.

39. Adultery or fornication to be punished with imprisonment, banishment from the army and such other penalties as the Court may direct.

40. Violence to men, women and children will be punished according to the degree of the offence.

41. "No soldier serving on foot shall carry any boy, nor any woman shall be suffered to follow the army on pain of such punishment" as we or another officer may prescribe.

42. "Every soldier or officer that shall be found drunk shall be committed to prison for the first offence, and if he fall into it the second time, being a private soldier, he shall besides his imprisonment forfeit two months' pay. If he be an officer he shall lose his place. The third time a common soldier shall have such greater punishment as a Martial Court shall order."

43. None to use disgraceful words or commit any act to disgrace the army on pain of banishment and of not serving again in the army. We acquit [of any charge of military dishonour] those who have quarrels offered them [and refuse to fight], since they are quite right in subjecting themselves to military discipline. Any officer who hereafter disparages any other for anything done by him during the late rebellion shall, if found guilty, be cashiered.

44. Captains who allow their companies to grow weak shall be imprisoned, lose their places, and be banished from the army.

45. Officers shall not mislead the muster-master as to the strength of their companies upon pain of loss of place and other ignominious punishment as provided by Courts Martial.

46. No Muster-Master shall show favouritism by imposing any greater cheque upon any officer than his default shall merit. No cheque shall be imposed by discretion without view, on pain of forfeiture of place and corporal or precuniary punishment as decreed by a Court Martial.

47. Captains shall have lists given them by Muster-Masters of the defaults in their apparel, arms, &c., and shall take steps to have these defaults remedied at once. First offenders against this rule to lose one month's pay; and continued offenders to lose their commands.

48. Officers to be diligent in training and supplying their troops.

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49 and 50. Soldiers to have their arms fixed and well kept when they appear and to come to the colours fully armed.

51. Officers absent from garrison without express leave to be cashiered.

52. Officers to see their men orderly quartered.

53. Every "private man" and soldier to keep silence when the army is taking lodging or marching or imbattailing, so that the officers' orders may be heard.

54. None shall spoil those who die on service. The property of those who died not on service to go according to their will, or failing a will, to go to the poor, hurt and sick of the dead man's company.

55. No person to take any part of a soldier's arms or apparel from him in pawn.

56. Those who lose their arms by negligence or lewdness shall, until they discover or replace them, remain in the state of a pioneer.

57. Victuallers who supply unwholesome or unsound food to be imprisoned and suffer other Court Martial penalties.

58. Victuallers who entertain soldiers at unseasonable hours will be severely punished.

59. No soldier to be a victualler without leave from the commanding officer.

60. Captains not to give passports to soldiers without the Duke of Ormond's leave.

61. Captains may only cashier soldiers with the Duke of Ormond's leave or with that of the officers of the musters upon the public days of musters.

62. All civilians are charged to seize runaways and to deliver them to the Provost Marshal.

63. All captains, &c., to assist in bringing military offenders to justice.

64. All military offence not herein mentioned will be punished according to the general laws and customs of war.

65. No officer or soldier to be received into the army unless the Bishop of his diocese, on report by the rector, &c., of his parish, certify that he has received the Holy Communion according to the discipline of the Church of Ireland at the Easter or Christmas preceding his muster.

66. Officers and soldiers to assist in detecting frauds on the Excise by seizing smuggled goods, &c. Those who aid smugglers shall be cashiered and, if not officers, flogged.

67. These "laws" to be observed by all the army.

These laws to be forthwith read at the head of every company. *Pp.* 30. Dublin: printed by John Crook, printer to the King, and "are" to be sold by Samuel Dancer, in Castle Street, 1662. *S.P. Ireland* 310, 86.

6 Oct. Whitehall. The KING to the SPEAKER of the HOUSE OF COMMONS IN IRELAND for SIR JAMES SHAEN.

Recommending Sir James, who is a member of the Irish House of Commons, and who is now going over to Ireland after having

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been detained in England on the King's special service. He shall have relief against any persons who, in the time of his absence from Ireland may have violated his privileges as a member of the House of Commons. *P.* ½. *S.P. Dom. Signet Office V. pp.* 282-3.

6 Oct. Whitehall. The KING to the SPEAKER of the HOUSE OF COMMONS IN IRELAND for SIR MAURICE EUSTACE.

Sir James Shaen has conveyed the right to purchase certain lands, which he had by our letter of 25 March last, to Sir Maurice Eustace, the Earls of Cork and Orrery and others. We approve the assignment, and direct you to favour the assignees so far as is consistent with the Act for executing the Declaration. *P.* ⅛. *Ibid. pp.* 285-6.

7 Oct. Dublin Castle. SIR GEORGE LANE to [SECRETARY NICHOLAS].[1]

I received yours on behalf of Mr. Lowther on Sept. 13, and shall always endeavour to obey your commands. I send you a speech by the Lord Lieutenant lately delivered in Parliament, and letters enclosed for my brother Ned, Mr. Whittaker and Mr. George Nicholas. *P.* 1. (*Hol.*). *Add.* "*for yourself.*" *Endd. S.P. Ireland* 310, 87.

7 Oct. ENTRY of the KING to the LORD LIEUTENANT for EDWARD DOWDALL.

Sending his petition and desiring that he receive reasonable satisfaction. *Seven lines. Entry. S.P. Ireland* 308, *p.* 101.

9 Oct. Whitehall. The KING to the LORD LIEUTENANT for SIR THOMAS VYNER and others.

We are anxious to encourage men of such considerable estates as Sir Thomas Vyner, Robert Vyner and Sir Daniel Bellingham, the King's goldsmiths. They have petitioned for the forfeited and unrestorable lands in the baronies of Carbery and of Ikethy and Oughterany, co. Kildare, not given to any person, which they propose to acquire by placing on them encumbrances, &c., which are in their hands. They intend to plant the territory with English. You shall extend such favour to them as is consistent with the Act for executing our Declaration. *P.* ¾. *S.P. Dom. Signet Office V. pp.* 281-2.

(1) Sir Henry Bennett became Secretary of State in October, 1662, some time before October 15, but all letters written to a Secretary of State from Dublin on October 7 would no doubt be addressed to Secretary Nicholas. *See* the Duke of Ormond's letters of October 15, and Sir George Lane's of October 18, below.

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9 Oct. Whitehall. SAME for SAME and for GEORGE, son of SIR THOMAS VYNER.

Directing that the office of alnage of cloth be established in Ireland in order to the execution of the laws regarding the alnage of cloth. All or most of the laws on this subject in England are in force in Ireland. Bellingham and George and Robert Vyner shall have the office for 31 years at £50 a year rent. *P.* 1. *S.P. Dom. Signet Office V. pp.* 283-4.

10 Oct. ENTRY of WARRANT to the ATTORNEY-GENERAL.

Directing him to prepare a bill for the Royal signature containing the King's licence in mortmain and such other licences, privileges, &c. in all things concerning the giving, granting, &c., all or any part of the manors, honours, lands, &c., lately given and granted to the society of "the Governor and Assistants London [*sic*] of the new Plantation in Ulster," as were formerly granted to the society and the twelve chief companies of London by letters dated 30 Sep., 1615. *P.* ½. *S.P. Dom. Entry Books IX. pp.* 3-4.

11 Oct. Whitehall. The KING to the [LORD LIEUTENANT] concerning the Royal Society.

Having "been moved, out of the earnest desire we have to promote solede learning and the good not only of our subjects but of mankind in general, to found a society of fit persons for improving all useful sciences, arts and inventions by experiments, erecting the same into a corporation by a charter;" we have thought well to bestow on it half of the fractions of debentures vested in us by the late Act of Parliament for the settlement of that our kingdom. You shall make a grant accordingly to Robert Royle and Sir Robert Murray and their heirs, &c., in trust for the Royal Society. You shall take care that these fractions be as considerable as may be. *P.* ¾. *Entry. S.P. Ireland* 312, *p.* 1.

15 Oct. Dublin. EXTRACT from [the LORD LIEUTENANT] to the KING.

All the last letters give us so exact notice of the change of Sir Henry Bennett for Secretary Nicholas, that I cannot doubt but that this change is now complete. I hope that I may receive my instructions from your Majesty through him, and may not have to take orders through two different hands.

I have since I last wrote made so many changes in the army that "I dare now say there is no danger to be apprehended from it. That, I confess, though it be something, is not enough, nor satisfies me; for those you pay should be so far from dangerous that they should free you from the fear of danger from others, and to that in

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a little more time I hope to bring it, and sooner it would be so if those that are content to receive the profit of the commands would also be content to attend the duty of them; and it is my duty to tell your Majesty that every dispensation you shall give to the contrary will in so much lessen the usefulness of the army and the safety of your service. It is not impossible but that one time or other I may have occasion to write something to your Majesty that may think most proper to be first known to yourself," but have no cypher. I desire to be sent one or to send one to you.

God preserve you. *Pp.* 1½. (*Hol.*). *Endd. S.P. Ireland* 310, 88.

Latest date 16 Oct. REPORT by LORDS SOUTHAMPTON and ASHLEY on the PETITION of SIR ROBERT KILLIGREW and of MR. O'NEALE and MR. PROGERS, two Grooms of the Bedchamber.

The Commission which your Majesty directed "me" to issue for inquiry into the lands which Killigrew, O'Neale and Progers should discover to be concealed, has returned the names of many parcels of lands.

We see no reason why these should not be granted to these gentlemen upon the usual terms, provided that the Attorney be satisfied by calling some of the pretended owners or otherwise, that there be no former grant from the Crown of the same lands. If there be such he should report to your Majesty. *P.* ½. Dated 24 Sept. *Signed. Followed by—*

Order, dated 30 Sept., Whitehall, directing the Attorney-General to investigate as mentioned above and report on the subject. *P.* ¼. *Signed by* Nicholas. *Endd. with—*

REPORT by SIR GEOFFREY PALMER, Attorney-General.

Has called several of the pretended owners as above. They do not pretend to any title, but acknowledge the King's right and that they themselves made the encroachments on his Majesty. *P.* ¼. *Signed.* Dated 16 October, 1662. *Endd. Ibid.* 89.

17 Oct. Dublin Castle. PROCLAMATION by the LORD LIEUTENANT and COUNCIL.

An act recently passed for enlarging the periods of time appointed by the Act of Settlement empowers the Council from time to time to enlarge any of the periods of time prescribed by the larger Act. That Act prescribed the 29th day of September, 1662, as the closing day before which adventurers who had claims for deficiencies should make such claims appear. This closing day is hereby altered to 1 April, 1663.

The Act further directed that legal encumbrances upon the lands set out to adventurers and soldiers should be satisfied out of the forfeited lands in the co. Kildare, such encumbrances being made appear by 23 October, 1662. This day is now altered to 1 April, 1663.

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The date by which the restoration of innocent Papists is to be complete is also altered from 1 August, 1662 to 1 April, 1663.

The dates at which adventures are to bring in to the Commissioners for executing the Act of Settlement the surveys of their lands is changed from 29 September, 1662, to 1 April, 1663.

The first date at which those who, as adventurers or as holding from them, are to pay to one year's profit of their estates, is altered from 1 November, 1662, to 15 November, 1662. The dates at which soldiers have to pay in the half year's profits of their estates shall also be altered from 1 November, 1662, to 15 November, 1662. All persons shall within this time pay in what is due from them so many as they can calculate it. If the survey of their estates is not yet made, and proves subsequently, when made, that they have been overcharged, a proper remission shall be allowed to them; the basis of valuation being the value of the estates in 1659.

The power of the Lord Lieutenant to suspend any clause in the Act which deals with private interests if he thinks it should be examined into, shall be prolonged from 1 December, 1662, to 1 June, 1663.

The sheriffs to publish this in their various counties. *Pp.* 3½. *Overwritten, &c., as previous proclamations* [*see* July 31, 1661, No. 2]. *S.P. Ireland* 309, *pp.* 84-7.

18 Oct. Whitehall. The KING to the LORD LIEUTENANT for CAPTAIN HALLAM and CAPTAIN PAINE, Surveyors of the King's forts.

By our letters of 6 February, 1660-1, we appointed Captain Hallam, Director, Overseer and Surveyor-General of Fortifications in Ireland, and by our letters of 22 February, 1660-1, we directed the like grant to be made to Captain Paine. Both parties were heard by our Justices there and the office ultimately given to them jointly for life. The grant did not mention their stipend and they now pray that we will accept a surrender of it and make to them a fresh one appointing them Directors, &c. [as before], of all our plantations, highways, bridges, fords, passages and harbours for shipping in Ireland, during their lives and that of the survivor of them, with 15*s.* a day stipend and all the usual profits. You shall grant the petition if you find it fit. *Pp.* 1¼. *S.P. Dom. Signet Office V. pp.* 286-7.

18 Oct. Dublin Castle. SIR GEORGE LANE to "SIR EDWARD NICHOLAS, Secretary of State."

Sending a letter from the Privy Council in regard to the Act of Settlement, which they hear is lately printed in England and a draft in regard to forfeited bonds, which needs signature by the King. *P.* ⅔. (*Hol.*). *Add. as above Endd. S.P. Ireland* 310, 90.

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18 Oct. Dublin Castle. POWER of ATTORNEY.

Given by Henry Stanton, waxchandler, and Edward Greene, haberdasher, citizens of London, to Richard Kingdon, of London, gent., to receive and keep all such goods, &c., as are sent by them to John Huyshe, of the city of Dublin, merchant, in whose hands soever they be, and to secure them to his principal's use. He may give receipts or releases for such goods as he receives and may, in his principals' name, sue those who refuse to return the goods, and recover the goods upon such suit. Full powers of attorney given in detail. Ratification clause. *P.* 1. *Signed, sealed and delivered by the* principals in the presence of Henry Clerke, scrivener, and Thomas Kerbey and Joseph Clerke, his servants. *P.* 1. *Followed by—*

(1.) Edward Greene and Henry Stanton to Richard Kingdon as above.

Accompanying the power above, and repeating its purport. The scrivener who witnessed the signature of the power of Attorney is well-known to Alderman Erasmus Smith, of Dublin. *P.* ½. *Signed by* Green and Stanton.

(2.) Two notes from Stanton to same.

Containing details and alleging that he had only trusted Huyshe on Greene's representations, and asking urgently for Kingdon's help in recovering the debt due to him. *In all, pp.* 2. *Add. S.P. Ireland* 310, 91.

18 Oct. Whitehall. The KING to the GOVERNOR and MAYOR of Galway, for DR. JAMES MORPHY.

Directing that Morphy be not confirmed in the place of warden of the college and collegiate church of Galway and that the letters for voiding the election of Mr. Vaughan be recalled. Morphy is unfit for the post. *P.* ⅔. *S.P. Dom. Entry Books X. p.* 1.

19 Oct. Dublin. The LORD LIEUTENANT to SIR HENRY BENNETT.

I have heard of your appointment from your predecessor's last post and I wrote thereupon to the King asking [*see letter of* 11 *Oct. above for the request*]. I feel sure that the earliness with which I made the request will take the place of a congratulation, "which in this case I can very freely and heartily make since he whose real friend I was and had reason to be, finds his account no less in quitting than you do in receiving. If it had been otherwise I should have been in pain how to word a letter of this nature." Please send me a cypher well written "for the ease of an ill-memory and decaying eyes."

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Some acts to be passed here are to be sent over and I think it best to address them to him who solicits my despatches there to be handed on by him to the Lord Chancellor for delivery to whom the King shall direct, or direct them to Mr. Secretary Nicholas as I think we may do, having no official knowledge of your appointment. I am preparing for a journey. *Pp.* 2. (*Hol.*). *Endd. S.P. Ireland* 310, 92.

19 Oct. Copy of the Lord Lieutenant to the King.

Recommends Col. Brien, who is "of as noble a family as any in this kingdom." His race have served the Crown well, and his grandfather, who is still alive, bears on him the marks of his loyalty and courage. *P.* ½ (*small*). *Endd. Ibid.* 93.

[20 Oct.] Petition to the King of the Deans and Chapters of Christchurch and St. Patrick's, in Dublin, showing that:—

The two cathedrals in Dublin and all cathedrals elsewhere in Ireland are miserably decayed or destroyed by the late invasions. A great many of the fabric lands, originally given to keep the cathedrals in repair, were passed away and, having come into the King's hands, are set out to adventurers and soldiers, so that these churches cannot be repaired. When the King was restored, it was hoped by the petitioners that the Act of Settlement would contain some provision for repairing the cathedrals "in honour of that all-gracious God who had so wonderfully acknowledged your Majesty's and this kingdom's deliverance and brought you into the way of settlement after so many and great confusions." Nothing of this kind was done and these two cathedral churches which are in the eye of the whole nation, and to which the Lord Lieutenant and nobility resort, are ruinous. Many thousands of pounds will be needed to repair them.

They pray that they may have "all fractions of odd pounds, shillings and pence" in the stating or settling of any sum or sums of money for arrears, adventures, public debts, or reprizes, and "all fractions of odd acres, roods and perches" in the setting out or ascertaining of proportions of lands for arrear. *P.* ⅔. *Signed* (*not Hol.*) *by* Robt. Mossom, Dean of the Church of the Holy Trinity (Christchurch) and Wm. Fuller, Dean of St. Patrick's. *Underwritten with*—

Order, dated 20 Oct., referring the petition to the Duke of Ormond. *Ibid.* 94.

[1] Further Petition of Same to Same, showing that:—

The petitioners are setting up two rings of bells in the aforesaid "churches (those at present being not musical)" and have contracted

[1] Undated, but placed with foregoing for convenience.

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with bell founders accordingly. Their want of metal, however, is so great that they cannot purchase half of what is requisite for them.

There are now in the King's storehouse in Dublin, as they hear "some useless pieces of guns called Rabnetts [rabinets] and brasses," about six in number, consisting of about 400lb. weight each. They pray that these may be given to them. *P.* ½. *Endd. S.P. Ireland* 310, 95.

20 Oct. Cockpit. The Duke of Albemarle to Sir Henry Bennett.

The enclosed is a draft of a letter to the Lord Lieutenant directing that reprisals be given to me out of the lands awarded by the usurper to Col. Fitzgarrett in lieu for his own. The Colonel has now got back his own, and these lands are therefore vacant and to be used for deficient persons. I suppose there can be no difficulty in obtaining the King's signature, and beg you to offer the matter to him.

P.S.—I have had the letter drawn by my secretary as it requires haste and beg you to return it, when signed and addressed to the Lord Lieutenant, to me at the Cockpit. I would send it by to-morrow's post. *P.* ⅛. *Signed. Add. Endd. Ibid.* 96.

21 Oct. Dublin. The Lord Lieutenant to the Same.

I congratulate you on your appointment and hope that all my official business may pass through your hands alone. I am just leaving Dublin for a fortnight. I have assured Lord Aungier, who fears that your gain may be his loss, that, in his affairs, you will be swayed by me. He fears some clause prejudicial to him in the Act of Explanation when it returns here. I do not think the King will incur the envy of clauses of this kind which would prevent the act, already unpopular, from passing.

I never suspected Dick Talbot's martyrdom in that cause. He is up to the ears in reprisals and the language of the Act of Settlement gives him an honourable pretence of retreat.

I have much to say on the unpopularity of your promotion, but have no good cypher here. Keep the temper you are in and I am sure that all will mend. That all is well now I cannot say. Being like to write often, I avoid all the ceremony of letters. *Pp.* 1⅛. (*Hol.*). *Endd. Ibid.* 97.

Latest date 21 Oct. List of Bills transmitted to England and not returned into Ireland.

An act declaring what persons shall take the oath of supremacy, 4 Feb., 166⅞.

Note in margin: I have no note of this bill. I think it was read when the Lord Lieutenant was here and in Council, but it was never referred to me. I think it was laid aside.[1]

[1] The document contains no indication of the authorship of this and the following marginal notes.

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An act for wearing the manufactures of the kingdom of Ireland.

Note. I find by my notes that this bill was rejected on my report it being against the policy of England to banish our own manufactures out of Ireland by Act of Parliament.

An act for settling Sir George Hamilton, Kt., in his estate in Ireland.

Note. Rejected because it would imply that an Act already passed for the same purpose in England could not bind Ireland.

An act for naturalising Martha, the wife of Richard, Earl of Barrymore.

Note. Rejected. The Countess was born of English parents "and so, however, natural subject." The Act, if needful, made her a natural subject in England in express terms, which was a great presumption from Ireland.

An act for freeing the "Vice-Chancellor, Provost, Fellows and Scholars of the University and College of the Holy and undivided Trinity near Dublin" from paying excise for ale and beer spent in the College.

Note. Rejected by the King's command. Would defraud the King as brewers would, in all cases of discovery, pretend the College beer.

An act concerning enrolment of letters patents (21 Oct., 1662).

Note. Rejected. It checked the Great Seal of England and was perpetual.

An act concerning the city of Dublin.

Note. Rejected. It rendered the act for naturalising foreign Protestants useless.

An act for restoring Theobald, Viscount Mayo to his estate. *P.* 1. *Endd. S.P. Ireland* 310, 98.

And two other copies without the marginal notes. *P.* 1½ *and p.* 1½. *Endd. Ibid.* 99 *and* 100.

21 Oct. Dublin. "Ready to take horse."

Sir George Lane to Secretary Bennet.

I got your letter of the 11th yesterday and though in a hurry owing to my Lord's remove into the country I secured his signature to a warrant which I had drawn up for passing of a *fiant* in pursuance of His Majesty's letter in your behalf. I have ordered this to be carried to the King's counsel who will have done his part by the time His Grace comes back, and then it shall be carefully solicited by myself till it be sealed. I congratulate you on your promotion. *P.* 1. (*Hol.*). *Add. Endd. Ibid.* 101.

22 Oct. Kinsale.

Copy of Depositions of John Chidleigh or Chidley and Thomas Chidleigh taken before Henry John Luxbery, sovereign of Kinsale.

They depose on oath that the *St. Luis*, of Portugal, Captain Jacob Reynolds, came into Kinsale about the last part of May, 1661, being disabled, having her masts sprung, &c., and shot in fighting

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so that she could not keep the sea without repairs. They were shipwrights and worked at her repairs, bringing her masts ashore to be mended. *P.* ½. Certified by Luxbery as above and the copy certified a true one by Henry Mosse, notary public. *In all, p.* ¾, *to which is attached*—

PETITION to the KING of THOS. MAYNARD, consul for the English nation in Portugal, showing that:—

Divers strangers of most nations take great advantage "of our peace with the Turks in the article of not allowing our ships to be searched." They freight the goods on English bottoms, whereby they go safely to all ports including those of this kingdom of Portugal. Your Majesty has granted me the right to take "consolage" of all the English goods coming in here, but not of foreign goods. The result is that foreigners, having a preference over Englishmen, can sell at lower prices. I ask to be allowed to take consolage fees, also of strangers freighting their goods on English ships. *P.* ½. Also note on same matter. *P.* ½. *In all, pp.* 1½. *Endd. S.P. Ireland* 310, 102, 102*a*, *and* 102*b*.

23 Oct. Charing Cross. SIR EDWARD NICHOLAS to SECRETARY BENNET.

I send you these letters relating to Ireland for the King's signature. They are supported by the Lord Lieutenant, two being for private persons and one to view and rectify frauds in decrees for lands in Connaught. The King should be moved to sign them, and if he does so, you should attest them "that so being entered in the Signet Office they may be despatched and sent for Ireland by the next post." *P.* ⅔. (*Hol.*). *Add. Endd. Ibid.* 103.

24 Oct. Whitehall. The KING to the LORD LIEUTENANT for SIR WILLIAM DUMVILE.

Sir William has done us very good service in the Court of Claims and has not yet been properly rewarded. He shall be granted the lands of Patrick Bath, of Rathfeigh, co. Meath, and Peter[1] Cruise, of the Naal [Naul?], co. Dublin, both of whom are indicted and outlawed of high treason, and whose lands are in our hands; excepting such of them as are set out to adventurers and soldiers. *P.* ⅔. *S.P. Dom. Signet Office V. p.* 292; *and p.* ½, *Ibid. p.* 317.

Also draft of same. *P.* ⅔. *Endd. S.P. Ireland* 310, 104.

Also note of docquet of same. *S.P. Ireland* 312, *p.* 7.

Same. SAME to the TREASURERS of the ADVENTURERS' MONEYS for SIR GEORGE WENTWORTH.

Directing them to pay £1,000 to Sir George out of the first sums which shall come in from the adventurers. *P.* 1. *S.P. Dom. Signet Office V. pp.* 293-4.

(1) Called Christopher Cruise in the draft and docquet. *See below* Sir George Lane's letter to Secretary Bennet at 10 Dec., 1662.

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24 Oct. Whitehall. The KING to the LORD LIEUTENANT regarding fraudulent decrees for land in Connaught.

Directing him to issue a commission to Arthur, Earl of Anglesey, James Lord Santry, Chief Justice of the Court of Chief Place, John Bysse, Chief Baron of the Exchequer, Thomas Piggot, Master of the Wards and Liveries, Sir James Ware and Sir Robert Forth, Kts., and to Henry Coventry, Esq., Sir Edward Deering, Bt., Sir Richard Ransford, Sir Thomas Beverley and Sir Edward Smith, Kts., Col. Edward Cooke and Winston Churchill, Esq., the Commissioners for executing the Act of Settlement, empowering them to inquire and report in what manner and to what extent fraudulent decrees have been obtained for forfeited lands in Connaught and Clare during the late usurpation, whether such grants were made according to the rules in force at the time, and otherwise to report on all such matters of this kind as may be for the King's service. *Pp.* 1½. *S.P. Dom. Signet Office V. pp.* 294-5.

Same. SAME for the DUKE OF ALBEMARLE and SIR THOMAS CLARGES.

By indenture under the great seal bearing date 7 August last we granted to the Duke of Albemarle certain lands in the town and co. of Galway for 500 years, and also provided that he should be allowed reprizes for such of these lands as were restored to their original owners. You shall now put him in possession of the lands in Connaught held by Philip Fitzgerald, who has been restored to his lands elsewhere, in recompense for any equivalent lands which he may have to give up. Sir Thomas Clarges who had the lands given to the Duke by two invalid grants of 14 and 22 May, 1658, and who had these confirmed to him by our letters of 10 March, 1662, shall have the profits thereof to 1 May last and no longer. *Pp.* 2. *Ibid. pp.* 288-9.

Also draft of same. *Pp.* 1½. *Endd. S.P. Ireland* 310, 105.

Oct. NOTE stating that the reversion of the Register[ship] of the Court of Chancery in Ireland has been passed in Oct., 1662, to James and Walter Grace. *P.* ½. *Ibid.* 106.

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3 Nov. From my brother Kingston's this, Dublin. SIR ROBERT KING to JOSEPH WILLIAMSON, Secretary to SIR HENRY BENNET.

I hope you will carry on the work of friendship for me which you have begun. I remind you of our common friend "Sil. Taylor," whom you so much favoured in his journey to Jamaica. "The business thus: Because the Act for subscribing against the covenant admits of no excuse, for the not doing it, therefore the College (whether the warden be his enemy or no, I know not), take this

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occasion to turn him out for not observing the Act. How unjust this is I need not say. But sure though they do him this wrong. The King, on whose affairs he is sent, will do him the right to restore him. I think he is not yet quite outed nor, as I hear, will be till 14 January next. Therefore I now in his name beg of you all the furtherance you can towards the keeping of him in. He purposes to be in England next summer and alas what will he do there without his fellowship." *P.* 1. (*Hol.*). *Add. Endd. with* Note regarding the seizure of a Scotch minister at Hundon in Suffolk. *S.P. Ireland* 310, 107.

4 Nov. Whitehall. The KING to the LORD LIEUTENANT for the EARLS OF SUFFOLK and ARRAN.

Directing that the Earls have preference over all others to become farmers of the Excise of ale and beer in Ireland for 21 years. The Lord Lieutenant shall determine what is a fair rent for the farmers to pay. *P.* ½. *S.P. Dom. Signet Office V. p.* 296.

6 Nov. Whitehall. The KING to the LORD LIEUTENANT.

We have given several grants in the form of charges upon the sums paid in as forfeited recognisances and bonds for transporting wool, but are anxious to mitigate the severity of the system of forfeitures. We therefor direct you to make proclamation in the cities and counties of Ireland that persons liable to such forfeitures may within six months come in and compound for them with certain Commissioners whom we are willing that you should appoint for the purpose. On receiving certificates from the Deputy Vice-Treasurer and the Commissioners above mentioned that the sums agreed upon had been paid, the Barons of the Exchequer shall release and cancel the recognisances and bonds. No such composition shall be under the rate of 5*s.* in the £.; and all shall be paid in within six months. The sum paid in shall be paid to the person to whom we have given grants charged on such sums, according to the seniority and priority thereof. Parker, to whom we have granted half the sums coming in from these forfeitures, shall either consent to take such a fair sum as may be agreed upon with the Commissioners, or be left to his remedy according to law with regard to his half, the composition hereinbefore directed taking place only in regard to the other half. *Pp.* 2½. *Ibid. pp.* 305-8.

7 Nov. [COL. TALBOT to SECRETARY BENNET.][1]

Yours of the 21st of October I had last night, sent from Sir George Lane from Kilkenny, where the Lord Lieutenant has been for fifteen days at the wedding of a daughter to my Lord Candish [2]

(1) *See* next letter.
(2) William Baron Cavendish of Hardwick, afterwards first Duke of Devonshire.

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The King's letter I have had, and have this day received the Lord Lieutenant's order to pass it the Great Seal. He was particular to send it by express, lest the delaying of it should prejudice you. Your interests are carefully attended to here. Please take notice of it in your next letters to the Lord Lieutenant. He always expresses himself kindly to me about you.

I spoke last night to Sir Audley Mervin, who is Speaker, and carries all before him "in this house here." All men say that the Explanatory bill lately sent to England will not pass here in its final stage as being too favourable to the Irish, and I asked him if any particular clauses could pass: but he said, 'No; all must pass, or none.' As you have no clause in that bill for giving you "Clanmallyro's" [Clanmalier's][1] estate, I advise you to get besides another bill, which you may easily do. He will get that passed and you will then have the best and "intyrest" estate of any gentleman in the kingdom. You should make sure of having this alternative. Mr. Churchill, to whom I have spoken, "approves mightily of this" and I shall try to see the Speaker to-day, get him to write the bill himself, and send it or Mr. Churchill by the next post. If I miss him you may draft the bill there yourself. The Lord Lieutenant would, if here, favour your request by letters to you, though not to the King, with whom he has opposed all such provisions. Do not neglect this business. *Pp.* 4. (*Hol.*). *Unsigned. Endd.*: 'Col. Talbot.' *S.P. Ireland* 310, 108.

8 Nov. Dublin. [Same] to [the Same.]

Mr. Churchill and I have spoken to the Speaker, as I said in my letter of yesterday, regarding the obtaining of the Clanmallyroe estate for you. He says that there is no other way but an Act of Parliament, either a special bill or part of the Explanatory bill. We shall move the Lord Lieutenant and Council for a particular bill on Monday, but do not think we shall get it. In the meantime get the clause inserted in the Explanatory bill; and if, afterwards, that does not pass, we shall then with much greater ease get a particular bill. The estate is near this town and worth £4,000 a year. Poor Lord Clanmalier is lost, and not to be restored by the Act of Settlement.

The Earl of Mount Alexander's grant has not been recalled as it should have been, and unless it is so the estate is lost. But for his grant Mr. Allen is restorable, for all of his qualification are so, and he only left out by reason of the grants. It is very hard that those who have served the King well should be expropriated and their estates given to those who never served him but in the end of all. I am sure the King, when he hears the facts, will recall the grant. If he do not do so, Lord Berkeley and I will lose all the money which was laid out upon the purchase of that estate, which, I assure you, is no small sum. Sir Charles Berk[eley]? will remind you of this matter. If the thing is not done soon it will be too late.

[1] In the MS. the name is spelt in many different ways.

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Sir Allen Broderick came to me this morning and told me that he had made very considerable discoveries here to the value of £10,000 a year profitable lands, and in the King's dispose. He is to acquaint you with it, and I have assured him that, if you take it in hand, you will let him have a considerable share of what you shall procure from the King in your own name. "Believe me, he is a likely man to find out a good project, for he is Surveyor-General here. *Pp.* 2½. *Add.* "*For yourself.*" (*Hol.*). *Endd.*: 'Col. Talbot.' *S.P. Ireland* 310, 109.

8 Nov. LORD CHANCELLOR EUSTACE to SECRETARY BENNET.

Before Secretary Nicholas retired, I acquainted him with a matter on which a decision is needed. By the great Act of Settlement Allen of St. Wolston's is to have his estate of £500 a year restored. The Earl of Mount Alexander has procured a grant of that estate from the King, and the grant has got as far as the Great Seal of Ireland. I stopped it there till the King's further pleasure be known. The question is now about to be settled, and the Commissioners for executing the Act have Allen's claim before them. Allen is believed and known to have been an innocent person, and his estate should, at all events, not be given away before his trial has taken place. If he should prove innocent, the King would regret having given away his lands. If guilty, the grant to the Earl of Mount Alexander can easily be confirmed. *P.* 1. *Signed. Add. Endd. ordinarily and* "This my Lord Berckley and I opened because it was our concern." *Ibid.* 110.

8 Nov. Dublin COPY of SIR ALLEN BRODERICK to [SECRETARY BENNET].

You have heard from Dick Talbot about the matters of the "Clanmalirie" estate and how your grant may, as a result of the late investigation as to title, become useless. If it is known that I have made the discovery, though, it might beget umbrage in the Lord Lieutenant. I advise you to beg an estate of equal value to the Lord Clanmalier's—which you are never like to enjoy—out of such forfeited estates in the King's free dispose as make no entrenchment on the King's declaration, Instructions, or Act of Settlement. "Signify His Majesty's pleasure to my Lord Lieutenant, sending him a copy of the enclosed, and desiring no warrant may pass from His Majesty for any of these parcels till you are satisfied according to the estimate set upon the one and the other by the Auditor and Surveyor General, or such other persons as his Grace shall appoint. Thus you may fasten the whole, which otherwise (the sheaf being loose) may be gleaned away, and hereafter avail yourself or your friends further as you think fit. Common fame speaks this estate between £4,000 and £5,000 per annum, and when I have measured you out a compensation of equal value, I presume you will admit me to the tenancy of a part upon moderate rent . . . . . Use what speed you can, because, my

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Lord Orrery breaking in upon the English arrears, out of which by late letters he hath obtained £1,500 a year, it is not impossible other persons may inquire as strictly into these particulars as, Sir, Yours, &c., A. Broderick."
Pp. 1½. *Signed. Endd. S.P. Ireland* 310, 111.

8 Nov. Dublin. WINSTON CHURCHILL to SECRETARY BENNET.

In the matter of your grant and the objections thereto, you will have heard news by the letters of Colonel Talbot. A private Act is the best way of proceeding. Negotiations are going on with Lord Clanmalier and his son, and their condition is so desperate that it is likely they will be content to take a third part of their estate secured for their two lives. H[enry] Cromwell's adventure, regarding which Lord Angier has written to you, will be a very great pennyworth, if it be "clear." It has the additional advantage—in common with other estates made good by virtue of any proviso of the Act of Settlement—that it depends on the approbation of the Lord Lieutenant and Council. I will, if you like, give you details as to its security and value. It is said to be worth £600 a year, out of which you must reckon two and a half years' rent as payable to the King; but I suppose 'tis [a] "good fat spot by H. Cromwell's choice [of it?], who at that time had all under his grip."
P. ½. *Signed. Endd. Ibid.* 112.

Same. LORD BERKELEY to the SAME.

The inquiry in the case of Allen and the Earl of Mount Alexander is on foot and it turns out that, contrary to what was stated, the estate is not small and the owner has not been disloyal, or his predecessors either. The Lord Chancellor has stopped the grant to the Earl. It should be withdrawn, in as much as it takes away from the King a power of revocation specially given to him by the Act of Settlement. *Pp.* 2. (*Hol.*). *Add. Endd. Ibid.* 113.

11 Nov. Whitehall. ENTRY of the KING to the [LORD LIEUTENANT] concerning VISCOUNT GRANDISON.

Dispensing him from attending his troop in Ireland. *P.* ⅓. *Entry. S.P. Ireland* 312, *p.* 2.

ENTRY of PETITION.

John Morgan, of Kilcolgan, co. Galway, asks for a letter to the Duke of Ormond directing that, upon his discovering certain lands belonging to the King concealed, they be passed to him at the rents and services on which the King's other lands in those parts are held.

Same. The King directs reference to the Duke of Ormond. *P.* ½. *S.P. Dom. Entry Book XIII. p.* 173-4.

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About same. ENTRY of DOCQUET of LETTER.

Recommending Sir Allen Penderick [? Broderick] to have half the lands set out for fractions of "aequivalue" of the estates of Huson and Axtell formerly granted him. *Four lines.* *S.P. Ireland* 312, *p.* 3.

12 Nov. Whitehall. SAME.

Recommending Josias, Baron Castlestuart and Captain Simon Person to the Lord Lieutenant. *Two lines.* *Ibid.*

[Same.] ENTRY of the KING to the [LORD LIEUTENANT] for CAPTAIN HUGH O'ROIRKE.

Directing that the claims which he and his father have to an estate in Ireland be favourably considered. *P.* ½. *Ibid.*

ENTRY of PETITION.

Sir Robert Byron desires that he may have the lands in the baronies of Fewes and Orie [Orior] which are now in the possession of Charles Fleetwood's regiment of horse and foot or their assigns, in lieu of the lands of Iniscorty [Enniscorthy] given him by the King.

12 Nov. Whitehall. The King, anxious to compensate petitioner for [what he has lost by] the restitution of part of Wallop's estate, directs reference to the Duke of Ormond. *P.* 1. *S.P. Dom. Entry Book XIII. p.* 175.

12 Nov. PROCLAMATION by the LORD LIEUTENANT and COUNCIL.

The Lords Justices and Council "taking notice of sundry unlawful assemblies in many parts of this kingdom held by Papists and Presbyterians, by Independents and Anabaptists, by Quakers and other fanatical persons, meeting in great numbers contrary to and in contempt of His Majesty's Royal authority," and threatening the peace, &c., forbade such assemblies by a proclamation issued on January 22, 1661. This proclamation has been neglected and Popish masses have even been said close to Dublin. A Papal jurisdiction is attempted to be introduced, and heavy charges are laid upon the King's subjects.

The law will henceforward be strictly enforced against all who break it. The Archbishops, Bishops, Judges, Justices of the Peace, Mayors and Sheriffs shall prohibit all such meeting within the area of their several jurisdictions, shall seize and punish offenders and shall quarterly send us an account of their proceedings each year. The officers of the army shall assist in carrying out this proclamation. *Pp.* 2½. *Entry. Overwritten, and as previous proclamations.* [*See e.g.* that of 31 July, 1661, No. 2 above.] *S.P. Ireland* 309, *pp.* 88-90.

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12 Nov. WINSTON CHURCHILL to SECRETARY BENNET.

You will probably hear the Duke's sense of the whole matter at the time when you receive this, and will know that, hitherto, we have been rolling the stone up the hill. Lord Clanmalira, however, who has taken three days in the country to consult a friend, made a treaty with us when it was made clear to him that if he did not do so he would be lost, the whole of his estate being swallowed up by adventurers and soldiers. His Grace has seemed, since that treaty, more inclinable to our reasons, though not to the thing. He says, however, that a proviso to the Explanatory bill is useless, as that bill will never pass, and, when we offered to present a private bill to the Council he rejected the idea, saying it would create a precedent and encourage others to break into the great Act of Settlement. Our best plan therefore is to close with Lord Clanmalira on the best terms we can (he will be content with one-third of his estate) and then pass an Act with his consent, which no reasonable man could deny us. If the Lord Lieutenant will not allow us to shut out the present possessors (who are mostly very notorious rogues) without a previous reprise, you may have that work done, and I shall fail only in the impossible. I am glad you have discovered the "knot of vipers" who have been hatching too long and have lain like snakes, seemingly dead. Here they have been caballing secretly, rendering secret oaths to one another, and trying by letters and libels to corrupt the soldiers of the garrison. I hope the King will secure himself by buying up those who are always ready to support him. A vote has passed the House here for drawing up the heads of a bill for recording all contracts on real security and all incumbrances on land in a register to be kept in each county. If this bill pass (and we think it will, as there is no Mr. Vaughan here) land in Ireland will bear a better price than in England. "I hope you will take fire at it the next Sessions, if my friend Clifford tender that which he and I drew up together, which had not been so long laid aside, but to give way to greater matters. I could heartily wish myself engaged with all the lawyers in the quarrel of that bill, but I am here bound to an apprenticeship and fear we shall not be freed within the usual time of seven years, two of our learned brethren being fallen desperately sick of the hypochondriack upon the very conceit of being drawn in so long to share [?] hoggs."

P.S.—Will. Legg is ill. He was lately up and going for England, but has had a relapse, and is bound hand and foot. Lord Kellan [Killeen ?] is sick of the small-pox, but they are come out very kindly and the ladies hope his good face will be secured.

If the clause in the Explanatory bill which acquits the Irish of any guilt by having resided in the Irish quarters be omitted, the bill may pass, not so much because the omission would mean substantial gain to the English (who could not in any case have proved the Irish to have been in the rebels' quarters) as because it would possess the English with an idea that some favour is intended to them. This, with other considerations, would make them alter their minds. *Pp.* 1½. *Endd. S.P. Ireland* 310, 114.

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12 Nov. Dublin Castle

SIR GEORGE LANE to [SECRETARY BENNET].

The Lord Lieutentant directs me to send you the enclosed letter for Sir Allen Broderick for the King's signature. I send you also adjoined two letters of my Lord [*see following for the contents of these letters*]. I send also a letter from the Deputy Lieutenants of Somerset and Bristol to Sir Edward Nicholas that you may consider their proposals. You will find in another paper a list of persons who lately came out of England and were arrested. Others were taken, but not kept. I am to ask for a purse to hold the Great Seal, "the purse now used being indeed so worn that it is a shame to see it." *Other details. Pp.* 2. (*Hol.*). *Endd. S.P. Ireland* 310, 115. *Enclosing—*

A Note of Persons apprehended and committed on suspicion.

Nicholas Kempson, Philip Carteret, Philip Alden. These coming lately out of England were committed to the castle by the Lord Lieutenant's warrant, dated 10 *November*, 1662.

The following were taken at a conventicle near Dublin on Sunday, November 9, 1662:—

Major John Desbrow, lately in the Usurper's army, committed to the Castle by order of the Board, 10 *November*, 1662.

Henry Aland, captain in the late usurpers army, committed to the Serjeant-at-Arms, 10 *November*, 1662, *from the Board. P.* ½. *Endd. Ibid.* 115, 1.

The Duke of Ormond to Secretary Bennet.

I have received yours of November 1 *and hope that we shall correspond with freedom. I am always anxious to serve you. I find there was no reason for my hesitating to send the paper which I did send. I shall not be able to make a model which no one can criticise.*

I think none of the bills sent over will call for much debate except the Bill of Explanation. I do not pretend to be able to judge of this involved measure, but those whose business it is to understand these things encourage me to believe that it will do no hurt. It is thought unlikely that the bill, if sent back, will pass the House here; yet if it be not sent, there are some who will murmur at the stop. "I have not seen the particular proviso advised for you. If it should reach to bar the ancient proprietor from the plea allowed all others by the Act it would be unjust; or if it should give it without the compensation afforded to other possessors it would be unequal to them; and without it do one of these I understand not how it can be of more advantage to you than the way you are already in." I will read what I say to Mr. Patrick Brien, and if he can instruct me what can reasonably be brought in, I will break my rule and send the recommendation you desire.

The rules agreed upon by the King and entered in the Council Book —that Irish matters should pass through the hands of the Secretary

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thereto appointed by the King—has not been observed. Secretary Nicholas was so appointed, and now you are. Please mark, and remind the King of these matters, that we may be spared the confusion and indecency of contradictory directions.

More passengers than usual arrived last week from England, and as this happened just when we had notice of the disappointment of a plot in England, I thought some of the plotters might have come over. I caused inquiry to be made and had some persons arrested. Their names shall be sent you in case you should have reason to desire to know the whereabouts of these persons.

I have since seen Mr. Brien [or Bryan]. He says that the only way you can make advantage of your grant must be by the uncertainty of any title which either the old proprietor or the present possessor can have, the reversion, which was in the Crown, being passed to you, and the possibility depending but upon two lives. The Lord Chancellor tells me he has given you some very good advice, which being done, I think you may have a good bargain, which is all that this project can amount to. Pp. 4. *(Hol.). Dated Dublin,* 12 *Nov. S.P. Ireland* 310, 115, 2.

The Duke of Ormond to Secretary Bennet.

In addition to my other letter of this date it is fit you should know that such drafts of letters as you shall receive from Sir George Lane are those to which I desire that the Royal assent be given.

After I came out of England I let the Deputy Lieutenants of Somersetshire[1] *know that I desired they would upon all occasions of His Majesty's service apply to Secretary Nicholas. I have now told them to apply to you. Pray let them know that you will hear them. P.* ½. *(Hol.). Dated as the last. Add. Endd. Ibid.* 115, 3.

12 Nov. Dublin. SIR ALLEN BRODERICK to SECRETARY BENNET.

The Lord Lieutenant has returned and I was consequently hurried in my last despatch to you. If you will now study such parts of the Declaration and instructions as I send you, you will see how your affair stands. The Declaration confirms the lands set out to soldiers and adventurers, with certain exceptions. The instructions direct the Commissioners to inquire into forged debentures, and to certify the same to the Exchequer, that the persons guilty may be punished, and the lands obtained by fraud or mismeasurement may be seized according to the tenor of the Declaration. Church lands are by the Act restored, and the land of the Regicides granted to his Highness. False admeasurement would, as is supposed, cut off 200,000 or 300,000 acres. Many persons may innocently possess them, and are therefore allowed to place deficiencies, incumbrances, &c., on these surplus lands in their possession, and the like upon the

[1] The Duke of Ormond had been Lord Lieutenant of Somerset before he left for Ireland.

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doubling ordinance, the money so advanced being £50,000. The surplus not charged is to be cut off and taken away in such parts and proportions as lie most contiguous. Those who favour the settlement by satisfying all interests suppose this surplus intended for future reprisal, and hope His Majesty will not otherwise dispose thereof. The fractions of pounds and acres are without pretence, and so are the forfeited moneys of adventurers (in our phrase elapsed) amounting to £22,550, and will produce a great tract of land. If you therefore keep watch on the former that no man obtain a grant of them—and I know that the Lord Lieutenant is opposed to such grants—and insist upon the later, his Grace will think it more reasonable. Herein I have, I think by accident, made the first attempt "for discerning the same design in some very worthy persons upon these fractions (as seeming small and obnoxious to all the clerks in my office whilst they are daily computing them), I addresst to his Grace, showed the vast pains I took in reducing them without profit, the former grant, which his Grace well knew I had from His Majesty, of lands in Ireland [and which] he was pleased afterwards to resume, together with the loss I should sustain in divesting myself by his Grace's commands of the pretentions I have to my Lord Mountgarret's estate." His Grace showed a cheerful readiness to recommend me to you and by you to the King, and I drew a letter, which he approved and directed that it should be sent over. He is sure the King, who granted me so much, would not refuse me so little, but I ask you to use your interest to get it signed as a bar to future applicants, though it will be long before it can take effect. If you can obtain such another letter upon the elapsed money you will be fully compensated for the loss of Lord Clanmalirie's estate. Since the Restoration I have not had a penny from the King except the lands he took away again and this office; the fees of which, if we exclude those for the passing of grants at the end of our great adjudication and the subsequent gains which I may make by discovery of concealed or forfeited lands, will not, and never can, maintain my clerks. "By those discoveries my predecessors have gained great estates to themselves and greater to their friends in the English Court from the time of Henry VIII. downward." Since my arrival more than 20 small parcels of £40 or £50 per annum have come within my inquiry, and I have suffered them to continue as they are or to pass by *custodium*, hoping hereafter an opportunity upon the determination of the Act. Meantime the King is no loser, the rents being paid into the Exchequer more punctually than if the payers held by a better title. At present you know that by the Act of State no grant of lands can pass in this kingdom without the King's allowance. "Asking many parcels together makes too loud a sound. Asking often were to tire the giver. I shall, therefore, so dispose these small portions that in due time they may become you to ask." *Other details. Pp.* 2½. (*Hol.*). *Signed. Add. Endd. S.P. Ireland* 310, 116.

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13 Nov. LORD CHANCELLOR EUSTACE to SECRETARY BENNET.

Refers once more to the case of the Earl of Mount Alexander and to the stopping of his patent [*see above p.* 613]. Has likewise stopped a *fiant* lately brought to the Seal in favour of Col. Marck Travers [Marcus Trevor] and similar in character to that of the Earl of Mount Alexander. The King should not divest himself of a power given him for good ends. Such action should at all events be postponed till the Commissioners for executing the Act have done their work. *P.* ½. (*Hol.*). *Add. Endd. S.P. Ireland* 310, 117.

14 Nov. Dublin Castle PROCLAMATION by the LORD LIEUTENANT and COUNCIL for the preservation of pheasants, partridges, grouse, hares, and other the King's game in Ireland.

Ordering that for the preservation of game for the benefit of the Lord Lieutenant and officers of State all persons be forbidden "to take any pheasants, partridges, grouse, hares, or any prohibited game whatsoever either by hawks, nets, guns, setting dogs, greyhounds, or any other engine whatsoever" in any place within seven miles of Dublin, or within the bounds of the Curragh of Kildare, or three miles thereof. No one shall "shott in any gun or piece" within the said limits unless it be a soldier who is exercising, or a person with licence from the King. Such licensees shall give bonds that they will not shoot within the limits mentioned above, and all "setting dogs" found therein shall be destroyed. Mayors, sheriffs, sovereigns, &c., to take steps to execute this ordinance by seizing offenders and binding them over to appear before the Lord Lieutenant to answer for their offences. *Pp.* 1¼. *Overwritten, &c., as previous proclamations.* [*See e.g.* that of 31 July, 1661, No. 2 above.] *S.P. Ireland* 309, *pp.* 91-2.

Latest date 14 Nov. RECORD of the PROCEEDINGS before the KING in COUNCIL in the matter of the grant to SIR THOMAS VYNER and OTHERS of the right to coin small silver coins in Ireland.

Order by the King in Council.

The officers of the Mint in England and also Sir Thomas Vyner and all others concerned in coining small silver in Ireland by the lately granted patent shall attend before the Lord High Treasurer of England, Lord Ashley, Chancellor of the Exchequer, who, calling to their assistance the Lord Chief Baron of the Court of Exchequer and the Attorney-General, or either of them, shall take into consideration the patent lately granted to Vyner and others, and also the proclamation in that kingdom concerning the value of foreign coins [*see above p.* 197]. *P.* ½. Dated Hampton Court, 29 June, 1602.

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Further order of the same, dated 14 November, 1662.

The report desired to be made by the order of the Council was read to-day. It was advised that this report, the proposals of Sir Thomas Vyner relating to the coining of small silver coins and the answer of the officers of His Majesty's mint, with their exceptions to the patent, and all proceedings and papers, be enrolled in the Register of Council causes for further use, and that the patents be brought in and delivered to the Board to be cancelled.

Report of the Committee appointed to discuss Vyner's patent.

We have considered the objections raised by the officers of the mint to "the altering and debasing of your Majesty's standard by the coining of small silver moneys in Ireland after the rates and proportions allowed in the said patent." We are of opinion that the preserving of a single standard of weight and fineness all over the King's dominions is very much to their advantage, and that the debasement of this standard, especially in the case of small silver coins "which are the common measures given to your Majesty by the people," cannot be practised or allowed in any one of the King's kingdoms without eminent prejudice to all the rest.

Sir Thomas Vyner, after a long discussion on the matter in our presence and that of the Duke of Ormond and Earl of Anglesea, voluntarily offered to prosecute the patent no further, as, before the granting of this patent, the King had agreed to the coinage in Ireland of coins of equal standard to those in England. We recommend that this patent be cancelled and discharged on the roll of Ireland. *Pp.* 2½, *with signatures* (*copies*) *of* Lords Southampton and Ashley.

The Proposals of Sir Thomas Vyner and others to the Lords Justices of Ireland in regard to the coining of small money.

1. We will make silver small moneys of the standard of England of half-pence, pence and two-pences, with three castles on the one side and the harp on the other, with the distinction of its value.
2. We will coin a considerable sum every year and provide the silver from foreign parts.
3. We will cut it at 6*s.* 6*d.* per oz., with a remedy of 4 dwt. under or over, in a pound weight.
4. We will provide workmen and tools at our own cost.
5. These moneys shall be assayed and pixed by a sworn officer to be appointed by your honours.
6. We ask that we may have a grant to us and our heirs exclusively for 21 years.

There will not be a loss of above £22 4*s.* 0*d.* in the 100*lb.* of this small money if melted down and coined in His Majesty's Mint in the Tower of London; whereas in the best farthings that will be made in this kingdom there will be at least £24 lost in the 100*lb.*

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The bringing in every year of a certain quantity of bullion into the country will greatly enrich it. "Your honours then owning a work so honest and honourable and the gain being so inconsiderable in regard of the many thousand small pieces which will be made out of few ounces of bullion, a special service will be done thereby to the King and his people" and they saved from the loss which brass and copper farthings cause. *Pp.* 1¼.

Report from the persons to whom the former proposals were referred.

We have considered the proposals of Sir Thomas Vyner and Alderman Bellingham annexed to their petition of 24 May and offer the following suggestions, which we think will prevent the inconveniences suffered by the people of Ireland now for want of small money for change.

1. The petitioners should have a grant for 21 years of the sole right to make small silver coins of the standard of England, halfpence, pence, twopences and fourpences.

2. The pound weight of silver of the said standard to be coined into the several pieces after the proportions following, viz.—two oz. of "halfpences," [*sic*], two of "pence" and four oz. of threepences.

3. The said pound shall be in full £3 10*s*. 0*d*. with allowance of fourpenny weight under or over for the "sheire."

4. All the small money to be minted to pass current in the kingdom, but no more than twelve pence in every twelve shillings to be imposed in payment upon any person.

5. During the said time no other silver small money under fourpences to be coined in the said kingdom by any but the petitioners, their executors, adventurers, &c., they supplying the kingdom with a sufficient quantity thereof.

6. The petitioners to give security to coin from bullion brought into this country.

7. The mint to be in Ireland and a comptroller and assaymaster to be appointed at his Majesty's charge and appointment, as at the mint at the Tower. He should be on oath and be displaced and placed by the chief governors.

8. All charges for workmen, tools, coals, house-rooms, &c., to be discharged by the petitioners out of the 10*s*. in every pound which is allowed for coining.

9. The petitioners to pay 12*d*. to the King out of every pound coined. *Pp.* 2. *With signatures* (*copies*) *of* Lord Santry, Sir John Temple, Sir John Bisse or Bysse and Sir Arthur Hill, *and note of* submission to the Lords Justices, 14 August, 1661.

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Answer of the officers of the King's mint in the Tower to the proposals of Sir Thomas Vyner and others, and have answered them one by one as follows.[1]

1. The standard of England is a standard of weight and fineness. If the fineness be preserved but not the weight, the standard is lowered. No subject of the King should prescribe impressions or characters of his moneys.

2. We believe they will coin as many each year as they can vent: their gain, and the loss to the public, being thereby increased. They may indeed bring in silver from foreign parts, but if they please to melt down English coin or plate and send it thither as foreign bullion, their profit will bear that also.

3. According to this proposal 400 oz. of standard silver will make into money, without any allowance of 4 dwt. remedy, £130. 400 oz. of silver is worth in the King's mint £100 allowing them the half of their remedy of 4 dwt. on each pound, which will make

into this new moneys - - - - - - - -	£130	16	8
So that 305 oz. 14 dwt. 15 gr. 11 mit. will make -	£100	0	0
But that much silver made in the King's mint only	£76	8	8
So that if £100 worth of the proposed moneys be melted for recoining in the English mint the loss would be - - - - - - - -	£23	11	4

4. They may well provide all tools, &c., since they have an allowance of 18*s.* in the pound with a remedy of 4 dwt. The King has 2*s.* barely upon the pound, without any remedy at all, to pay his officers and all charges.

5. The proposal is unsafe. One officer would have too great a trust if asked to secure the King and people. Moreover the proposal implies a charge to the King of that officer.

6. A grant for 21 years takes away the King's right to make such alterations as experience or necessity may render desireable.

As for their mentioning of £22 4*s.* loss in every £100 we have shown what it is in our answer to the third proposal; yet, were it not more than they set down, the loss is too great for subjects to bear. The proposition is in this regard unreasonable.

7. We say again that 400 oz. of standard silver which is worth £100 here will be worth £131 13*s.* 4*d.* as they coin it [*i.e.* they will not need to import foreign silver].

We have also considered the report of the persons to whom these proposals were referred and have to make the following suggestions upon it.[2] We leave the preface to be considered by your honours when you have studied our suggestions.

1. Already answered in connection with proposal 1 and 6 of Sir Thomas Vyner.

2. The proposers do pretend that small moneys are much wanted in Ireland and therefore demand a great price for making of them. Although they reduce them from their former proposal

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(1) The following numbers refer to the parts of the "Proposals of Sir Thomas Vyner and others." *See above p.* 621, *par.* 3.

(2) The following numbered paragraphs correspond with those on *p.* 622.

of 6*s*. 6*d*. to 5*s*. 10*d*. the oz., keeping still the same remedy, yet they help them very much by adding of that greater specie of threepences, which is one-third part of the whole.

3. We say that 400 oz. of standard silver coined into these new moneys will make - - - - £116 13 4

And that the same amount of standard silver being worth in the King's mint but £100, will make in the new money, taking in but one half of the remedy of 4 dwt. - - - - - - - £117 10 0

So that 340oz. 8dwt. 12gr. and 12 mit. coined into this money makes - - - - - - - £100 0 0

But coined in His Majesty's mint makes only - £85 2 1½

So that in recoining such monies here there will be a loss of - - - - - - - £14 7 10½

4. They need not have limited such a small proportion if they were coined, as they ought to be, near the value.

5. Notwithstanding any prohibiton made, the gain is so great that the Hollander and others will import into that kingdom great quantities to the detriment of the Irish public.

6. We humbly say that the proposers, &c. [as in the second answer to Vyner's proposals above].

7. In addition to our answer on this head to Sir Thos. Vyner we say that the foregoing charges may well be defrayed by the petitioners upon the considerations following: If they shall make of that money in one year £20,000 after the rate of £3 10s. 0*d*. a pound weight, according to the report of the referees with an allowance of the half remedy (whereas if they please they may work upon the whole) the same will be worth to receive at the King's mint - - - - - - - - - £17,021 6 3

So there will be a loss to those who shall receive those moneys of - - - - - £2,978 13 9

The allowance to the King of 12*d*. upon the whole pound weight will amount to - - £283 13 9¼

out of which there will be very little accrue to the King after the officers have been paid.

By these means "if the Mint of Ireland should be allowed of, unless extraordinary quantities of bullion be imported, the Mint of England must stand still. And when bullion shall grow scarce, the money and plate of England may be converted into bullion to serve that Mint, and so in process of time the small money may devour the great."

We have only to add that it has been the policy of Kings and Queens of England to stock their kingdom of Ireland with coins minted in London where a portion of the Mint still bears the name of "the Irish Mint." King James (of happy memory) by his indenture of the Mint, caused his moneys stamped for Ireland to be charged with an harp crowned, for distinction's sake. This policy should be borne in mind. *Pp*. 8½.

Further observations by the Officers of the Mint.

Being some observations by them upon the differences between the proposals of the Lords Justices on the behalf of Sir Thomas Vyner and others and the [terms of the] patent above mentioned.

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1. In the proposals there is only mention made of His Majesty paying two officers, viz. a comptroller and an assay-master, whose salaries do both amount to £133 6*s.* 8*d.* a year in the Mint in London. The patent obliges the King to pay for a Master Worker, Warden, Comptroller, Assay-Master and others whose salaries, if computed on the standard which prevails in the Mint in London, will amount to £1,180, besides allowance for diet and reparations.

2. In the patent power is given to the Chief Governor or Governors from time to time to alter the impressions, mottoes, &c., on the coins. This seems to trench on the King's prerogative.

3. The proposals suggested that the petitioners should give good security to import foreign bullion. This is not mentioned in the patent.

4. By the proposals and patent both, it is appointed that the trial of the moneys in the Pix shall only be done in Ireland. The King lately gave special orders to the mint concerning the delivery of Pix boxes, &c., for Ireland whereby it appears that the trial is to take place in Ireland, but to be made by the Assay-Master of the Mint in England.

5. The difference between the proposals and the patent as to the weight of coin is that the proposals suggest that of every 12oz. of silver there shall be two ounce coined into halfpence, two into pence, four into twopences and four into threepences. The patent, however, suggests the following proportion, halfpence 1oz., pence, 2oz., twopences, 2oz., threepences, 3oz., groats added, 4oz. The terms in the patent are far more advantageous to the petitioners than those in the proposals in making such quantities of groats—a coin which the proposals never mentioned.

6. There is 2dwt. remedy in weight allowed them in the patent for "sheare" more than in the proposals, and 2dwt. in fineness, which they may work on if they please, all being granted thereby to them without account to the King, his heirs or successors.

7. By the patent there is allowed 2[*s.* ?] in 20[*s.* ?] to pass, whereas by the proposals only 12*d.* was allowed.

8. By a general prohibition in the patent, the King is hindered from the making of any tools or engines for his greater moneys of silver or gold upon emergent occasions.

9. The patent also gives to Sir Thomas and the rest a moiety of all such forfeitures as shall be thereupon due to the King, without account from them to the King. This was not in the proposals.

10. There are also large powers given for searching houses and ships and seizing and detaining all prohibited and counterfeit money, engines, &c. This is a needful clause owing to the number of Hollanders who might otherwise import large quantities of silver coins.

11. The office of Master-Worker is given to Sir Thomas Vyner, and the rest for 21 years, and the profits, &c. to them and their heirs for ever. Is this legal?

12. We find lastly that Sir Thomas Vyner, &c. have made provisions of pardons for themselves under the Great Seal of Ireland, in case the moneys shall on trial be found agreeable in

weight and fineness, but that they are not to be questioned at all if the moneys be found to exceed the remedies allowed in weight or fineness. This gives an immunity which does not exist in England. *In all, about pp.* 19. *Endd. S.P. Ireland* 310, 118.

15 Nov. Dublin. SIR ALLEN BRODERICK to SECRETARY BENNET.

The Lord Lieutenant to-day gave order for signifying to you his desire to stop the letter on my behalf concerning the fractions which he sent by the last post. I had begged it to prevent my Lord Orrery who, finding some difficulty upon his pretensions upon the English arrears, hoped to prevail in this for himself and some friends of his. But Mr. Henry Coventry and Colonel William Legg, moving his Grace for themselves, have obtained his consent to which I must yield all obedience, especially as I am shortly to have his Grace's recommendation for some other grant. In the meantime I have inquired of the Commissioners regarding those exceptions of bribery, forgery, subornation and under admeasurement. Some believe that lands so obtained are clearly in His Majesty's disposal, whilst others think that they are liable to the intents of the Declaration by supplying deficiencies and reprisals. Pray consult Sir Heneage Finch, who drew the Act, and reject or accept the proposal without any mention of your most humble, &c., A. Broderick. *P.* ½. *(Hol.). Add. Endd. Ibid.* 119.

17 Nov. Worke [?] [Workington] SIR PATRICK CURWEN to JOSEPH WILLIAMSON.

I thank you for your letter and have considered which part of the customs would be most suitable for me. I think the most suitable would be that of Irish cattle. I see none else unless coals. Cattle would be hazardous, as of course I should make nothing in time of war. I do not know whether cattle will continue to come over to England as they have hitherto done, yet as the grazing of them when they first come over might be some convenience to me and a means (farming the custom of the cattle) to draw the cattle-ships rather to Workington than to Whitehaven, I would be ready to offer a rent for it. I do not care to meddle with coals, and am told that £500 a year would be enough to offer for [the customs on] this coast, that is to say Workington, Whitehaven and Carlisle. I may go as far as £600. If you will interest yourself for me in this with Sir John Shaw I shall give whatever security is asked and shall always be grateful to you. Your brother, I suppose, has told you who checked at him for having his name put into the Commission of Excise, and how roughly it was done. I think we shall have "but a hard farm of it," but we shall pay our expenses and give the country ease. We are sorry Sir Edward Nicholas has left his office, but very glad that his successor has kept you on in your post.

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P.S.—I shall also desire to farm the coal custom. It is only 8*d.* a ton, and all that it has yielded is £60 a year; but as it may be used to divert trade from Whitehaven to Workington, I shall offer £50 a year for it. *P.* 1. (*Hol.*). *Add. Endd. S.P. Ireland* 310, 120.

18 Nov. Dublin. SIR WILLIAM DOMVILE to SECRETARY BENNET.

I wish to direct your thoughts to Ireland. An Explanatory bill has lately gone from here for lighting some dark places in the great Act of Settlement. The explanatory clauses chiefly affect either the King's interest or the suffering Irish.

The King is hereby entitled to the enjoyment of all concealed lands and of all rents of lands enjoyed without title confirmed by the main Act. The King is also entitled to the profits of his lands which have been intruded upon by any adventurers or soldiers without a similar title. His Majesty will gain in this way about £100,000. But the Act is dark as to [what is to be done with] the profits of those lands for the last six or seven years, which are computed to be worth more than the £53,000, or more, for which they were set out.

The usurper also set out several lands for payment of arrears for service against the King in England. These are by the Declaration and Act of Settlement reserved to the King, but the Act is dark as to the mesne profits of them for the last 6 or 7 years, which may amount to more in that time than the £50,000 for which they were set out. Of the voluntary grants made by the usurper several have been confirmed, but others are made void and the lands reserved to the King. The profits of them are not yet secured, nor their amount known, but it is calculated that they will come to 100,000 acres and upwards. I mention these points that they may be considered when the Act of Explanation is being discussed, and the profits, as is just, reserved to the King.

There is another point which much concerns the King, and that is a clause recited out of His Majesty's Declaration in the 7th page of the book printed at London, where the word ' and ' is now expounded to ' or,' the disjunctive being put for the copulative. If there were no more, the change would be much prejudicial to His Majesty, but if it may pass under those provisoes and limitations which it is now circumscribed with, and explained by this Act, it must bring 300,000 to 400,000 acres in to the King. This would be most useful for reprisals for deserving persons; *quoram pars non parva fui*, inasmuch as I studied how to enable His Majesty to give those reprisals. Besides, if the titles of these children of usurpation be not confirmed, the mesne profits will come to the King. Whatever is [?] sought for the King in these clauses of Explanation, I hold that he should have the mesne profits of the lands to which his title is found, and which have been enjoyed without title.

Again, lands gained by concealment and fraud have been expressly reserved in the Declaration and the adventurers and

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soldiers hope that this reservation will be maintained. The adventurers and soldiers have "gratified" the King with a year and half a year's rent in consideration thereof, and the King should not be less careful of his own interests than of those of others which are equally founded on and secured by the Declaration.

The particulars which refer to the innocent I[rish] were really framed to deal with special cases. These should be maintained, but rather by qualifications than by the mention of special names. The latter cause might open a [door] for undeserving people to slip out at.

I may add that I have with more speed than care "run your grant for Clanmaleira under the Great Seal" this day fortnight and put in your claim the next day—which was the closing day under the Act. "If the special entails of that estate on the heirs males of the Dempsies be determined or forfeited, then it is well this claim should be in, in order that you may obtain the judgment of the Court against the adventurers and soldiers in whose hands it is."

Pp. 8. (*Hol.*). *Imperfect. Add. Endd. S.P. Ireland* 310, 121.

19 Nov. Dublin. SIR GEORGE LANE to SECRETARY BENNET.

The Lord Lieutenant will write to you shortly and directs me to send you some letters which he has approved and submits for the King's approval. He will by the next post submit other proposals concerning Sir Allen Broderick, and begs that those already sent may be suspended. We have our share of your plot here, and shall let you hear further when the Lord Lieutenant has probed the matter to the bottom. It is traced to a Colonel Eyers or Ayers, now a prisoner in the Castle, who has been tampering with some of the regiment of Guards, by employing one to test their dispositions toward mutiny with money to debauch them. Eyres [*sic*] has not yet confessed, but the soldier whom he employed has confessed all.

The Lord Lieutenant orders me to send you the enclosed prints, asking that they may be dispersed so that foreigners may know what favours they will receive if they settle in this kingdom. He would like that some of them should be sent to Sir George Douneing [Downing] at the Hague if he be there, and that you would be pleased to permit one of your messengers to deliver these directed to some foreigners there known to some of the Council here. They may not be at any charge for forwarding this good work which, it is said, they will do on receipt of these Acts.

The bills you sent are before the House of Commons. *Pp.* 2½. (*Hol.*). *Endd. Ibid.* 122.

Same. LORD CHANCELLOR EUSTACE to the SAME.

I hear there is a great endeavour to alter an "and" into "or" in the bill of Explanation lately sent over, so that the clause "all officers and soldiers, their heirs and assigns, who have been *and* are of the said army," should read "have been *or* are." This change should not be made because:—

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1. The clause with the 'and' in it has been approved of in the Councils of England and Ireland and passed both Houses in Ireland and received the Royal assent.

2. The House of Commons asked the King that there might be no variation from the Declaration, and gave thanks by their Speaker to the Lord Lieutenant when the law was passed in its present form.

3. If the word 'and' is changed to 'or,' the bill now proposed will cease to be explanatory and become enactiye.

4. The change if made would enable many persons to claim estates "who deserved rather to be hanged than rewarded" and will thereby love the King much in value. It will also prejudice him in honour by giving an equal reward to his enemies and to his friends.

5. The word "and" was put in to keep the King's enemies out, and cannot be dropped without letting them in and defeating the object of the Act of Settlement.

6. The clause, being left as it is, will give a great opportunity for finding out lands for reprisals, which are much needed in order to make the Act work.

I must now ask a question which is being considered by the Judges in the kingdom—"whether a person indicted and outlawed of high treason may, since the statute entitled an Act for the Attainder of Baltinglass, be reversed in writ of error, and in this case it is like there will be *gens contra gentem*; for His Majesty is on the one side much concerned in point of profit by reason of his forfeitures, and the subject is much concerned in point of interest; for if in all other judgments which concern him he is to be admitted to his writ of error, if that he finds himself grieved, it will seem a hard piece of justice if that it should be denied him in this case when his life, his honour and estate do all lie at the stake. *Sub judice lis est.*" If the writ of error is decided not to lie, much injustice must be done to innocents. *Pp.* 1½. (*Hol.*). *Add. Also copy of same. Pp.* 1¾. *Endd. S.P. Ireland* 810, 123 *and* 124.

[19 Nov.] Petition of the Earl of Mount Alexander and Viscount Dungannon to the King, showing that:—

They have served and sacrificed themselves for the King. They pray for compensation out of the £3,000 or £4,000 which are all that remain of the adventurers' and soldiers' rents after the grants charged on them have been satisfied. *P.* ½. *Endd. Followed by*—

19 Nov. Dublin. The Earl of Mount Alexander to Secretary Bennet.

Prays for the granting of his petition, which will be presented by Sir Nicholas Armorer. It should be granted quickly. Hopes that, as a loyal servant of the King, he may have Bennet's sympathy. *P.* ½. (*Hol.*). *Add. Endd. In all, p.* 1. *Ibid.* 125.

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19 Nov. Dublin. VISCOUNT DUNGANNON to SECRETARY BENNET.

Praying for his favour in the matter of a petition. Similar in substance to the foregoing. *P.* 1. *Add. Endd. S.P. Ireland* 310, 126.

19 Nov. SIR ALLEN BRODERICK to [the SAME].

I gave you an account by the post on Saturday that the Lord Lieutenant intended to recommend Mr. Henry Coventry for a grant of the lands set out for fractions (according to the reservation of the Act) desiring a stop of the letter his Grace sent you a week ago, and that he was willing to prefer any other suit I could find to the King. I then presumed to ask him whether I might not pretend to share in "the forfeited houses in Galway &c. set forth to Sir Thomas Clarges for and on the behalf of the well-affected citizens of Gloucester (as a reward for their eminent service against His Majesty)"—to whom he was at that time agent—these houses, &c. being reserved by a special proviso in the Act, and in His Majesty's disposal. The Lord Lieutenant liked the proposition, ordered me to draw a letter, perused it, and promised his favour, saying there could be no doubt in the thing. Sir George was pleased to remember that Sir Thomas Clirgis [Clarges] put in the proviso and left it so absolutely in His Majesty's power that he might afterwards beg it. I have served longer there, and as well as Sir Thomas, was the first suitor, and for valuable consideration. Sir George Lane enjoying the forfeited estates of Cook and Hoar [Hore], the Bishop of Cork £500 per *annum* out of Sir Hardress Waller's, Lord Carlingford £600 a year perpetual pension out of the same, and Lord Angier the estate of Ewer and part of Waller. Lord Orrery has £1,500 a year out of the English arrears for quitting the estates of Ireton and Wogan to his Royal Highness, as I did Hewson's and Axtell's; all of which, on the same score of regicides, were granted in the same farm by warrants almost of the same date, and every grantee save myself enjoys his grant or a larger compensation in lieu thereof than I pretend unto. Moreover the Lord Lieutenant says there will be as much left over after I am satisfied as could be intended to Sir Thomas. I have had nothing from the King but the employment I now hold, and I have laid at his feet the land of which I now only pray for one half.

P.S.—Sir Thomas Clarges, whose name now involves so great a sound, is nothing more than a paid solicitor or attorney of the cities in England which were famed for rebellion and rewarded with lands in Ireland. *Pp.* 1½. *Endd. Ibid.* 127.

20 Nov. Whitehall The KING to the LORD LIEUTENANT for SIR ALLEN BRODERICK.

On 25 February, 166$\frac{0}{1}$ we granted to Sir Allen all the lands, &c. whereof John Huson [or Hewson] or Daniel Axtell, lately attainted of high treason, were seised in Ireland, or, failing them, lands of equal value elsewhere. He has surrendered this grant for the benefit of the Duke of York, and we are anxious to make good half

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the value thereof to him, reserving the other half for our future bounty. The Act of Settlement directs our Commissioners to strike off the fractions of "odd pounds, shillings and pence" and fractions of acres, roods and perches, but so that no person shall lose, by such striking off, above one hundreth part of what is due to him, and that an exact account of the deductions made should be kept by the said Commissioners. You shall take steps to enable us to grant to Sir Allen so much of this residue of fractional lands as shall amount to one of half, in value, of the lands which he has given up. He shall have precedence over other grants to be paid out of these fractions. *Pp.* 3. *S.P. Dom. Signet Office V. pp.* 301-4.[1]

Also draft of same, with sign manual. *S.P.* 2½. *S.P. Ireland* 310, 128.

22 Nov. The KING to the COMMISSIONERS for executing the ACT OF SETTLEMENT in IRELAND.

As the Duke of Albemarle could not put in before you his claims to various lands in co. Wexford by the day appointed by your Proclamation of 23 September last, you shall allow him time till 16 January next to put in his claim. *P.* 1. *Entry. S.P. Ireland* 312, *p.* 4.

Same. LORD CHANCELLOR EUSTACE to SECRETARY BENNET.

I have little to say this time except to apologise for my bad writing. "His late Majesty seeing some letter written by me to some of my friends at court was wont to say that I did not need a cipher, for whatever I did write was cipher to His Majesty." Except in important cases I shall use another hand.

All the Judges here have been considering whether a writ of error lies to remove an outlawry for high treason. This was mentioned in a petition preferred by Lord Slane to the Lord Lieutenant, who complained that he had never seen the indictment or decree of outlawry against him and asked that he might have copies of them from the Lord Chief Justice of the King's [Bench]. The Judges met on Saturday last at the Inns, where the case was argued by the lawyers for Lord Slane, and the King's Counsel had time given to them to the first Monday next Hilary term to argue that the writ of error did not lie to reverse an outlawry for treason. If such a writ does not lie in this case, thousands of innocents will be destroyed upon this very point, and if it do, many soldiers and adventurers will lose their lands, which in my opinion is the least evil. I shall from time to time acquaint you with the progress and success of this business, upon which much depends. I shall do my best for Mr. Lee [Lye?], but the *Remora* operates against him, and can only be got

(1) *See also below* at 22 January, 1663.

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over by securing him into the Bill of Explanation, or by writing to the Lord Lieutenant to give warrant for passing letters patents to him according to the King's letters for that purpose, by which he has as yet benefited nothing.

The way to secure your grant to you is to surrender it to the King as I advised, or by sending Mr. Lee [Lye] a letter of attorney to surrender. "The returning of the Explanatory Bill to us as it was sent, will lay the fanatics flat at His Majesty's feet, and make room for his friends to come to their own." *Pp.* 1½ *and pp.* 2. *Original, and copy of all except first paragraph. The original add. and endd. The copy endd. S.P. Ireland* 310, 129 *and* 130.

23 Nov. Dublin. SIR ALLEN BRODERICK to SECRETARY BENNET.

Since my first to you we have had no returns from England, of which I was never more impatient, that by your proceedings I might be guided. "In my three last you find that [like] Lipsius his dog, when I could defend the basket no longer I put in my own head; and, ignorant how far you would extend His Majesty's warrant to your own self, as a bar to future pretenders that daily increase, I inserted in that letter (for a share in the houses, lands, &c., in Galway) this general proviso:—'For it is our pleasure that no grant or grants from us of any forfeited lands, tenements, &c., to any other person or persons whatsoever after the date of these our letters shall be confirmed, or take place till the value of the said moitie [moiety] be settled as aforesaid.'" The Lord Lieutenant approved it, and so did Sir George Lane, and promised to transmit it in the barque by which George Hamilton and Richard Armorer took passage on the 19th, but (for reasons which I do not know) they were despatched, but the packet retarded till the next day, and even then my letter was not sent. Sir George told me yesterday that the proviso in the grant was too general, and must be limited so as to run that "no grant, &c., of any of the said lands, &c.," which has made the clause beside, removing the bar, very disadvantageous, "unless in transcribing you please to leave out "after the date of these our letters," a modesty not intended to these houses in Galway, but to the general restraint, for Sir Thomas Clerges [*sic*] may perhaps have a dormant warrant, or Mr. Secretary Morris (advertised by the last post when mine was stopped) may procure one of three days' elder date; and though the gent[lemen] of the long robe will say such letter cannot properly be called a grant, he may pass the Great Seal before me and then it will be indisputable. In my former particulars to you I omitted this proviso, and another for reserving the half barony of Erris, being accounted of small value; beside that Sir Thomas Clarges was said to have a proviso out of the former and Sir James Shaen out of the latter, which is not esteemed worth one-third of that money. Upon diligent search I find the houses in Galway to produce £15 18*s.* 8*d.* per annum, beside 4,985 acres of land in several counties. If therefore Sir Thomas Clarges has any promise from the King he may find his

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account without His Majesty's bounty to me being restricted. In 1657 these houses, &c., were given to Anthony Edwards and others, of Gloucester, for their obstinate rebellion. Clarges, then Dr. Clarges, was their agent, or attorney, "and for his salary managed their business without other pretence"; so that I apprehend not any possibility of miscarriage. The Lord Lieutenant is interesting himself on my behalf. There are two fellows here, Capt. James Stopford and Captain Shaw, made vastly rich by being receivers of rents for lands set out to soldiers in 1655, before these lands were particularly distributed, of which they never made a perfect account. If the Lord Lieutenant had their accounts examined I believe they would prove to be £3,000 in arrear, which no man here thinks of.

One circumstance I forgot to inform you; that though the proviso for elapsed money gives no land till the adventurers who paid in their full proportions are satisfied, yet for that very money great quantities of lands were formerly set forth, are still enjoyed and are by that clause forfeit. *Pp.* 2. (*Hol.*). *Endd. S.P. Ireland* 310, 131.

24 Nov. Whitehall. ENTRY of PETITION.

John de Courcy, on behalf of his father, Patrick, Lord Kingsale, and of himself desires an ancient pension from the Crown of £150 a year in consideration of £3,000 a year expended by his father in the King's service, and as "hath been formerly an accustomed pension."

The King, anxious to favour the petitioner, directs reference to the Duke of Ormond. *P.* ⅔. *S.P. Dom. Entry Books XIII. p.* 182.

25 Nov. Dublin FRANCIS LORD AUNGIER to SECRETARY BENNET.

I should have thanked you before for your kindness and favour but that I have been ill and I am sure that if you will tell me about your affairs here you will have no reason to regret the kindness which you have shewn me. Colonel Churchill and I sometimes talk of your pretensions, but I send no details at present "because we have not yet fully resolved of our method."

I am sorry you did not incline to the purchase I recommend. You did not need to pay any ready money. None was expected. The land in three years would have cleared the purchase money and if I did not state it so I was unhappy in my motion. Lord Berkeley is I believe pleased with the bargain and, I hear is engaged in it. Had he not been so nimble I had saved him the trouble. *P.* ¾. (*Hol.*). *Add. Endd. S.P. Ireland* 310, 132.

27 Nov. Dublin. COPY of the LORD LIEUTENANT to the KING concerning SIR THOMAS ARMSTRONG'S TROOP.

Sir Thomas Armstrong is dead and has left few officers behind him who are his betters. His place as Quarter-Master-General of

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the horse is to cease with his death and if your Majesty choose to let his troop go some time without a captain it would be no great loss. There are not above three captains who ever see their troops except when they come to do duty in this town. If this is done it will be a warning to the other officers here and will prepare them for another change which I am going to suggest for your Majesty's ease. It is that Hopkins, in whose favour you wrote strongly, may rest content with the post of lieutenant under Lord Berkeley. I hear that he never was a soldier and never will be a good one, and that he was recommended by your Majesty on account of the merits of his father in another way. Many ancient and tried officers are content with places no better than that which he now enjoys, and would justly resent his being preferred before them. *P.* 1. *Written and endd. in* Secretary Lane's *hand. S.P. Ireland* 310, 133.

27 Nov. Dublin. SIR GEORGE LANE to [SECRETARY BENNET].

You will herewith receive in another packet all the commissions necessary for raising a regiment of foot in the City of Bristol. I beg you will transmit them to the Colonel, Sir Humphrey Hook, with such directions as you shall think fit upon that occasion. The several enclosed drafts I am commanded by my Lord Lieutenant to send to you with his desire that you will present them as humbly recommended for the King's signature. One of these, as announced to you before, is for Sir Allen Broderick in place of the one which you were entreated to suspend.

There is another concerning William Coventry and Colonel Legg, which, together with those concerning Sir John Stephens, and the increase of the guard of Battleaxes and my Lord's troop, are to be directed to my Lord himself. That for Lady Barrymore having to be otherwise directed I have presumed to add the superscription to it. The easterly winds have brought no news from England, and this causes foolish rumours such as "that there is an embargo on that side to keep from us the ill news of disorders which may be there." I believe it is only the managers of the post barques who make this delay. They have lately grumbled at not being paid. We shall soon hear where the defect lies. I send you the articles of war lately published by my Lord.[1]

P.S.—Sir Allen Broderick's letter is still suspended by his Grace. *Pp.* 1½. (*Hol.*). *Add.* "*for yourself.*" *Ibid.* 134.

Same. SIR ALLEN BRODERICK to SECRETARY BENNET.

We want three posts and the packet has not gone out which transmits Mr. Coventry's letter for the fractions, mine for the reserved houses in Galway, &c. This renders us equally doubtful some warrant may intervene to make ours ineffectual unless there be added to both a *non obstante* of former letters, &c.

(1) *See above at pp.* 597-600.

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The Lord Lieutenant, who has the right of approval, has surely not approved any such letters. "The Attorney General hears one Sir James Shane (a busy solicitor in affairs of that kind) hath a dormant warrant for the fractions, and it is whispered he brought with him out of England about three weeks since six other letters signed by Mr. Secretary Morice for divers concealments in this kingdom, being now immediately to return with the present passage on new projects."

You may therefore ask Mr. Secretary whether he has passed any such warrants, contrary to the Act of Council which directed him to stop Sir James Shane and all who do not strictly observe the same, "for it is hard they should gain by disobedience what we lose by conformity." If Sir Thomas Clarges have any intimation of my pretensions, as this delay inclines me to suspect, you may vouchsafe to let him know the officers who served before 1649 are in possession of all those houses in Galway save three or four. If I recover these not by adjudication in the Court of Claims, my grant will be useless. If I recover, then the service will be great to him or whoever gets the surplus. *P.* 1. (*Hol.*). *Endd. S.P. Ireland* 310, 135.

28 Nov. Whitehall. The KING to the LORD LIEUTENANT for the EARL OF MOUNT ALEXANDER.

Directing him, unless there be good reason to the contrary, to pass under the Great Seal the King's letters of 7 July, for releasing, in the Earl's favour, the power reserved to the King in the Act of Settlement to withhold the grant to the Earl of Mount Alexander of the lands late the inheritance of Robert Allen, and forfeited for his treason. The release is delayed by some obstructions. *P.* ½. *S.P. Dom. Signet Office V. p.* 309.

Same. SAME to SAME regarding the Constableship of Roscommon.

Directing that the fee for the said constableship be put into the establishment, and that the arrears thereof, as from 29 January last, be paid to Richard Jones, Constable of Roscommon. *P.* ½. *Ibid.*

29 Nov. Dublin. The LORD LIEUTENANT to SECRETARY BENNET.

It is usual for chief governors, shortly after their arrival, to transmit to the Crown a "state" of the country, both for purposes of information and that it may be seen what such governors have done when the time comes for them to leave their offices. I now send with the Council as true account of the revenue expenditure as can be computed, and I do so in order to avoid great evils which may come hereafter.

Our joint letter [*see enclosure*] shows that the revenue actually received falls short by £28,000 of the estimate made in October, 1661. This, added to "what the revenue" now falls short of the

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charge, makes a deficit of £59,682. Our letter further shows that the debt of this kingdom is £39,564 more than all the expected supplies—if they should come fully in without loss or charge. The reasons for our poor condition are made manifest in our letters, and suggestions are offered. When these figures are discussed it will no doubt be said that the £100,000 recently obtained for Ireland was obtained on the ground that we should henceforth support ourselves here without any charge to England. Let it be remembered that if I did support that idea, I did so relying on the representations of those on the spot who were best able to make the calculation; and let it in their behalf be remembered that computation and certainty are different things.

It should be remembered further that changes have been made in the book of rates, which cause the customs and excise, "the pillars of the revenue," to fail us in a great proportion. At all events, the present statement is as near as we can get to the truth.

I need not expatiate on the danger of an unpaid and consequently discontented army, which, instead of being our chief security, becomes our greatest apprehension; nor upon the danger of our being forced to have recourse to those financial expedients which are the obvious consequences of want and which are forced upon us by our indigence. When our report is discussed [at the Privy Council in England] it will be observed that payment of the King's regiment is expected out of England. I gave the then Lords Justices reason to hold this expectation in order that the new regiment might be "the better and more cheerfully received into this city and to obviate an inconvenient construction of mistrusting the army if, whilst their numbers were diminished to ease the charge of the Kingdom, a full and chargeable regiment should be brought upon it." I also certainly gave the King and my Lord Treasurer hopes that after five months I would provide for the regiment here, and I did both to facilitate the getting of it over "where I find it to be so much more necessary than I thought it that all good subjects depend upon it as their greatest defence." The charge for it is not in the establishment signed by the King, and the Council reasonably believe that it will not be put on our revenue which, indeed, cannot meet it.

I shall probably be told that as previous estimates have proved false, so this one may do so. I verily believe that we are now on firmer ground, and that our estimates will hold good, but I shall let you know if I see any reason to change that belief. I do not think I have exaggerated the difficulties of the situation. *Pp.* 4½. (*Hol.*). *Add. S.P. Ireland* 310, 136. *Enclosing*—

The Lord Lieutenant and Council to Secretary Bennet.

On inspecting the revenue and expenses I, the Lord Lieutenant, find that the charge of the civil list amounts at present to £26,975[1] *per*

(1) Shillings and pence are omitted in these figures.

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annum, and that the charge of the military establishment is £150,977, *making in all* £177,952. *There is also the King's regiment of Guards, whose pay comes to* £22,793 4*s.*; *and calling to mind that the late Lord Justices and Council did by their letters of* 17 *Oct.*, 1661, *directed to Secretary Nicholas, estimate the revenue and expenditure, I referred to that estimate to see if I could get help. I found there that the estimated revenue was* £156,270, *estimated in addition to other items, as follows*:—

New quit-rents of adventurers and soldiers and transplanted Irish, at most - - - - -	£45,000	0	0
Quit-rents payable by the Irish, restored under the Declaration and Bill of Settlement - - -	£7,000	0	0
Customs, according to the book already transmitted into England, and the Excise, estimated at -	£72,000	0	0
Licences for selling ale and beer according to the rates in a bill now sent to England, estimated at -	£10,000	0	0
Same for sale of wine, aqua vitæ, *&c., according to a bill now preparing, estimated at* - - -	£6,000	0	0

Seeing how serious a deficit we should have to meet if this revenue had to meet an expenditure of £177,950, *and knowing that many of the heads estimated above had not come up to the estimate, I thought it well to consult the Council.*

The first head of the above estimate (£45,000) *must come down to* £40,000. *The second head is quite fallacious, since the rents paid by the restored Irish are mostly reduced to their old figure, which was a very small one, or* nil.

The customs stated at £72,000 *cannot be farmed at anything over* £66,000.[1] *They may indeed be formed at* £72,000 *for some years, but if the farmers have to collect that sum they will have to deal very hardly with the people and can hardly fail to cause grievances which the King, by farming the customs, will have put it out of his power to redress. The Bills transmitted from hence, relative to the Customs and Excise, have resulted in diminishing the yield of these sources of revenue. The alterations in the rebate for leakage of wines,* e.g. [*detailed figures given*] *will prevent merchants from importing wine in as large quantities as formerly, which will mean a reduction of* £3,000. *In the bill sent from hence cloth was rated to pay* 12*d. a yard custom and* 2*s. excise, and stuffs* 3*d. a yard custom and* 6*d. a yard excise, but in the bill as sent back these figures respectively are* 6*d., no excise,* 2*d. and no excise. These differences bring the* £72,000 *down to* £66,000.

As to licences for ale and beer, the sum for a licence used to be 30*s., and as there were about* 7,000 *licence-holders in Ireland the return would have been* £10,500. *But as the licence-holders mostly live in remote places and are very poor, and as it is thought desirable to reduce their number, it has been decided to reduce the charge for a licence to* 20*s. as will appear from the last bill sent over. The figure of* £10,000 *must therefore be reduced to* £3,000.

The licences for selling wine and aqua vitæ *cannot be set at more than* £3,000 *per annum.*

(1) One draft says £60,000.

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Thus these sums fall short of the estimate of October, 1661, *by* £28,000 *a year. If this be added to the deficit of* £21,682 *odd,*[1] *it will appear that the whole deficit is* £49,600 *odd.*

The King has to meet the following debts here:—

Pay of the army, 21 *Oct.,* 1661, *to* 27 *July,* 1662	£107,417	0	0
Due to Sir Daniel Bellingham, borrowed from the army by the late justices	£12,800	0	0
To disbanded men in Feb., 166$\frac{0}{1}$	£18,500	0	0
The arrears of the supernumerary companies and soldiers reduced to bring the army within the compass of the new establishment	£8,000	0	0
The concordatums and warrants in the times of the late Justices and still unpaid	£4,000	0	0
Insolvent assignments	£6,000	0	0
The first year's revenue of the chimney money	£20,000	0	0
To the army since my [the Lord Lieutenant's] arrival	£23,352	0	0
The Commissioners appointed for executing the Act of Settlement	£1,495	0	0
The Earl of Kildare's composition for the customs of Strangford and Ardglass	£8,000	0	0
To compound for the customs of Londonderry	£10,000	0	0

Towards payment of this debt of £219,564, *the twelve subsidies will in time pay the sum of* £180,000. *There will remain a debt of* £39,500 *odd which would have been much more, but that I, the Lord Lieutenant, in payment of the army to October,* 1661, *had their arrears cast up at the current rates, and not at those which were in force at the time of their service. This step saved the King* £30,000.

We have therefore to meet a debt of £39,500 *odd, and an annual deficit of* £49,682. *We have no means of doing so, except by the chimney and hearth money, which is already hypothecated for the first year by the very act which grants it. Yet we cannot disband or reduce the army, and as these difficulties come upon us "when the whole army is unclothed, when they are suffering under many other wants, when after so often failures in payment they have not the credit to be any longer trusted in their quarters, when some of them are brought to the extremity that they are forced to steal even for food, when the condition of an ordinary soldier is such as he thinks it an advantage to be discharged, when indeed their condition is such and so miserable as it is a dishonour and shame to us and a great grief to behold, we freely confess that the consideration of these things doth very much amuse*[2] *and perplex us," especially when we consider how great evils may follow on this state of affairs.*

Our first request is that £60,000 *be at once sent us in cash. If we are given that sum we shall, we believe, be able to get the holders of the debt of* £219,500 *to compound their debts for it, and the King will*

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(1) *i.e.*, the difference between £156,270 and £177,900, mentioned above. This difference is wrongly stated in all the texts at £31,682, and the consequential calculations are correspondingly erroneous. I have corrected them.

(2) A curious use of the word.

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thus get a great release. We hope that in two years we shall be able to make additions to the revenue which will enable it to meet the £49,682 *deficit and further the charge of* £22,700 *odd now paid from England for support of the King's regiment of Guards. This sum should not be regarded as sent out of England to pay Irish debts, but as payment two years in advance of the wages of the King's regiment. Such pay for two years would amount to* £45,500 *odd, so that the difference is not great. We shall then be able to pay the soldiers and they will be comfortably kept in their quarters and not tempted to disloyalty. We hope that we may soon have your Majesty's pleasure in this matter.*

P.S.—*The only possible mistake in the above calculations is the concordatums for warrants.*

Pp. 5½. *Signed by the Lord Lieutenant, the Archbishops of Armagh and Dublin, the Lord Chancellor, the Earls of Ossory and Anglesey, the Bishops of Meath and Cork, and ten other members of the Council. S.P. Ireland* 310, 136, 1.

Also two other copies. Pp. 5. *Pp.* 6½. *Endd. S.P. Ireland* 310, 136, 2 *and* 3.

29 Nov. Dublin. The Lord Lieutenant to Secretary Bennet.

Briefly refers to the above letters and to the advice tendered to the King. Hopes to go to Court next summer, when he will be able to give full information. The Explanatory Bill should be returned with as few changes as possible. Changes in it may not cause it to be rejected, but will give countenance to those who declare that there is an intention "to destroy that they call the English interest." *Other details. Pp.* 2. (*Hol*). *Add. Endd. Ibid.* 137.

Same. Henry Coventry to the Same.

You will probably not be surprised to find a bedchamber man among the beggars of various degrees with whom you have now to deal. I join my brother William Legge in my request, and, indeed, at present he is too ill to beg without me, and has been in bed for six months and too lame of his hands to feed himself. We want the grant of the fractions, a draft for which you will find in the Lord Lieutenant's packet. You will find the name of my b[rother] Will inserted in it. He will tell you the reason for this insertion. Sir Allen Broderick has resigned his interests in the matter, and desires that he may have satisfaction from some other source. I shall be grateful for your favours. *P.* 1⅛. (*Hol.*). *Add. Endd. Ibid.* 138.

Same. Sir Allen Broderick to the Same.

As you so kindly got the letter for fractions signed for me I hope there may be no difficulty about this one which is sent in its stead.

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Some alterations are by the advice of the lawyers to be made in it, with a view to securing the King's rent. You will see that by the Explanatory Act, one-sixth of all concealed lands were to go to the discoverer and five-sixths to the King. This will be a considerable sum, if you take care that it is not filched from you by small parcels. Should the Act pass, it is beyond dispute. Should the Act be laid aside, it remains in the same condition with estates obtained by bribery, fraud, subornation, &c., which I still believe are well in His Majesty's hands. I have inclined the most severe gownman among the Commissioners to my view, and hope to bring them all round. I have put a new query to them—whether the adventurers who did not enter their certificates have not forfeited their respective lands. If they answer it in the affirmative I shall have discovered a great amount of land in the ten counties. Meanwhile, I beg that if Sir James Shane, Sir John Percival or any other should try to get new warrants for the Registrar's Office to the Commissioners and Court of Claims, you would please to stop it, because the design is to get possession of many books and papers legally placed in my office, to which no one but the Surveyor-General can pretend. It will cause me trouble to have to detain them by law. *Pp.* 1½. *Endd. S.P. Ireland* 310, 139.

30 Nov. Sir Allen Broderick to Secretary Bennet.

"I could blush myself to Death for the impertinent trouble I I have given you" in this affair of the houses in Galway, which are now said to be passed by patent in England to the Duke of Albemarle. Sir George Lane has therefore kept back my letter and sent that of Mr. Coventry and William Legg's "in which I wish you all good fortune; but beg you will preserve that which by your favour His Majesty was pleased to sign for me. You may observe that the Act of Settlement which entitled the King to these houses passed since the arrival of the Lord Lieutenant; and this patent, if past the seal, is without his privity, so that the Act of Council for my Lord Lieutenant's approbation is not so sacred as I imagined." *Pp.* 1½. (*Hol.*). *Endd. Ibid.* 140.

Note by [Sir Allen Broderick].

Relating to the omissions and amendments which he desires in his letters patent. *P.* ½. *Endd. Ibid.* 141.

Nov. The King to the Receivers of the Adventurers' Moneys on behalf of Alice Countess Dowager of Barrymore.

The £1,000 ordered to be paid to the Countess on Oct. 13 last shall be paid promptly. *P.* 1. *S.P. Dom. Signet Office. V. pp.* 316-317.

And Entry of Docquet of same. *S.P. Ireland* 312, *p.* 6.

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1 Dec. Dublin. The Earl of Anglesey to Secretary Bennet.

I congratulate you—though somewhat late in doing so—on your well-deserved appointment. I believe this to be a proper time to increase the interest you already have in this kingdom. I shall be glad to serve you in this or any other matter. *P.* ½. (*Hol.*). *Add. Endd. S.P. Ireland* 311, 1.

1 Dec. Dublin Castle. Sir George Lane to Same.

I send a list of Deputy-Lieutenants [*missing*].

The Lord-Lieutenant is away on a hunting journey to Maddenstown. I promise to assist you myself, and see no cause for the despondency which appears in your letter. *P.* 1. (*Hol.*). *Add.* "For yourself." *Endd. Ibid.* 2.

2 Dec. Memorandum [to the Privy Council] by Robert Child and W. Bowles on the military expenditure.

By warrants directed to us by the Earl of Manchester, Chamberlain of the King's household, for providing the King's "Pavilion Royal" and other tents for his service here and elsewhere in 1662, we have incurred the following expenses besides the allowances to officers.

List follows, showing expenses incurred for the Pavilion Royal and appurtenances (£1,597) for a tent for Lord Gerard and his guards and a "horse hale," and all things to it, for him, for tents for the Queen's Horse, the King's and Queen's shoemaker, tents for sick persons, for Mr. Phillips, for the master of the tents and officers; for 40 tents to follow the progress, tents for the Grooms of th Chamber, for the Duke of Ormond; six large "coach hales" for the King's service; five do. with manger and stakes; six large tents for the Royal coachmen; tents for trumpeters, attendants, the Queen's Vice-Chamberlain, &c. The total is £5,909 0*s.* 0*d.*

They have not received one penny for these tents and pray for a Privy Seal accordingly. *P.* ¾, *with certificate by* the Earl of Manchester that the tents were made by his warrants directed to Child and Bowles. *Endd. Ibid.* 3.

3 Dec. Dublin. Lord Aungier to Secretary Bennet.

I shall be glad to promote your interests, though they are committed to abler hands than mine.

I have set several engines on work to persuade my Lord Clanmalier to reason, and to make him capable of seeing what is for his own advantage; but nature has clouded his brain with so

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gross an ignorance that nothing of reason can prevail. In fine he is a man so wilful and obstinate that rather than part with one acre of his ancient inheritance he is resolved to run the risk of losing the whole.

I have also felt the pulses of several of the adventurers and soldiers who are in possession of the estate, but they will not be content with less than five years' purchase of their estate, which is unreasonable, considering the year's value the adventurers are to pay the King, and the two years' value which the soldiers are also to pay. I cannot advise you to give that sum; for, what with the rent payable to the King, and the charge of passing the Court of Claims and of getting the patent, you will lose in all eight years' value of the estate. This is as much as land would have sold for in the King's county before the rebellion; and I think you would not have to thank anyone that would advise you to so dear a bargain. The only course which you can now take to make yourself master of the estate—and one which will succeed if you will allow your friends to take it—is to get a particular act, vesting you in the estate and providing reprisals for the adventurers and soldiers. You need not be concerned for Clanmaleere [*i.e.* Lord Clanmalier ?] till the estate be your own. You may then honour yourself by being generous to him.

I think this course will succeed--firstly, because those who are in possession of the estate are not of a condition or interest to oppose the bill; secondly, because I have discussed the matter with several prominent members of the House of Commons here, and find them ready to support it; and thirdly, because no opposition is likely to be raised in the House of Lords. The Lord Lieutenant will certainly help you when the bill is, to start with, discussed in Council, and thus assist it in the House. I shall do my best to help you, and, as for my concern, feel sure we shall not fall out for 1,300 acres of land. I never got more than £50 a year for this and never expect to get more than £100. *Pp.* 1½. (*Hol.* ?). *Add. Endd. S.P. Ireland* 311, 4.

6 Dec. Colonel Talbot to [Secretary Bennet.]

Thank you for your kindness to Mr. Allen. I am sorry you did not put in the proviso in the Explanatory Bill, as it would have rendered easier the getting of a particular bill for yourself; but I am sure this can be obtained. I have got a bill drawn by Mr. Patrick Brien and Mr. Churchill and I will present it to the Lord Lieutenant as soon as you write to him about it. The bill is so drawn that it seems to be as much in favour of the adventurers and soldiers as in your's, and it gives to Lord Clanmalier one-third of his estate, which, failing heirs (and neither he nor his son are ever like to have any) returns to the Crown. Write at once to the Lord Lieutenant, as no time should be lost. So soon as you have written to him no further time will be lost here. The Lord Lieutenant is anxious at the report that changes may be made in the Queen's "family" and that Lord Suffolk may become Lord Chamberlain. *Pp.* 3½. *Endd. Ibid.* 5.

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6 Dec. LORD CHANCELLOR EUSTACE to SECRETARY BENNET.

You need not trouble to insert a proviso in the Explanatory Bill. That bill cannot pass here.

P.S.—The Bills of the Court of Wards, hart [hearth] money and £23,000 are through the Commons and will be law next week. *P.* ½. (*Hol.*). *Add. Endd. S.P. Ireland* 311, 6.

6 Dec. Dublin. WINSTON CHURCHILL to [SAME].

Concerning the private bill for the Clanmalier estate, Sir Audley Mervin's (the Speaker's) friendship has been secured. The Lord Lieutenant is concerned only for Lord Clanmalier and the clauses for his protection should be left to the approval of his Excellency. If this be done, Sir Henry Bennet will "hit the nail upon the head." The Chimney Bill and Court of Wards Bill are through the Commons. The bill for increasing the salaries of the Commissioners of Settlement has failed. *Pp.* 2. *Signed. Endd. Ibid.* 7.

Same. LORD KINGSTON to the SAME.

Repeats his congratulations on Secretary Bennet's appointment. *P.* 1. (*Hol.*). *Add. Endd. Ibid.* 8.

8 Dec. The KING to the LORD LIEUTENANT for the MARQUIS OF ANTRIM.

We are anxious to restore so ancient a family as that of the Marquis of Antrim to his lands, and "the Queen our dearest mother recommending it earnestly to us," we direct you to move the Council of Ireland to prepare a bill to be submitted to us for restoring the Marquis. *P.* 1. *S.P. Ireland* 312, *p.* 5-6.

Same. ENTRY of PETITION.

Sir Faithful Fortescue desires a grant of certain lands in Meath and Louth proportionate to a sum of £1,300 which is due to him for his salary as former Constable of Knockfergus [Carrickfergus] Castle.

The King directs reference to the Duke of Ormond. *P.* ½. *S.P. Dom. Entry Book XIII. p.* 190.

10 Dec. Dublin. The LORD LIEUTENANT to [SECRETARY BENNET].

"It is usual that libels are like letters better directed to divers persons. If those that receive them be honest or wary they bring them to me. For some time I laid them aside, neglecting them, but considering that you have persons under examination, and that

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by comparing of hands it is possible the contrivers or spreaders of such papers may be found out, I henceforward resolve to send all of that kind that shall come to my hands to you if I believe they come out of England." That I now send you was brought to the gentleman's house mentioned in it some two hours after I was gone thence, and the next day brought hither to me. The hand you see is a woman's or counterfeited for such. I believe the author is a fanatic personating a Papist or else a very senseless Papist. The gentleman that should have been prevailed upon by it I am sure is not like to be converted to the Roman Catholic faith by that or anything else.

I cannot assist you much by any confessions we have here. One in prison is "detected of endeavouring to corrupt the soldiers of the regiment of Guards, and with him I would have strained a point in law to find out the truth but that I am advised by lawyers that a statute in force here which you have not in England will bring him to a trial for treason, and they are now considering how it may best be done."

We are preparing a new transmission of bills for you so that we shall send you plenty of work to last you from this till Easter. I will take care that only those which are useful shall be sent, and any that are sent will be hastened in order that this Parliament may be dissolved. Necessary as it is, there are inconveniences in the long continuance of it.

P.S.—You will receive herewith a draft of a letter in favour of Colonel Arthur Hill, a man that now serves the King here in the revenue of Excise and Customs. He deserves favour.

Mr. Bathurst, the Postmaster, has a good reputation and I should like to see him rewarded. *Pp.* 2½. (*Hol.*). *Add.* "For yourself." *Endd. S.P. Ireland* 311, 9.

10 Dec. Dublin. SAMUEL BATHURST to [SECRETARY BENNET.]

Though I have not yet had any correspondence with you, I am now by the Lord Lieutenant's desire to tell you that when the Earl of Newburgh departed for Scotland on the 6th of this month it was agreed that a constant post should come every Wednesday night from Edinburgh for Dublin, and that every Tuesday night the post should go from Dublin for Edinburgh. Stages are already prepared for this service and ships are preparing for the conduct of "the maile." This course will, I am sure, generate frequent correspondence between Scotland and Ireland, and perhaps you may think of sending duplicates that way, especially when important despatches may be otherwise delayed by bad winds a month at Holyhead. *P.* ¾. (*Hol.*). *Add. Endd. Ibid.* 10.

Same. SIR ALLEN BRODERICK to [SAME].

I have given you much trouble by writing. The Lord Lieutenant tells me he has transmitted by Sir James Shane proposals for the elapsed money towards building the Phœnix. My Lord Orrery

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hopes a share, submitting the English arrears to the reprisal of His Royal Highness, for which in truth they are more proper, seeming rather to lie on His Majesty's direction pursuant to the Declaration than in his grant *ex mero motu*. I shall myself never ask you for anything in this kingdom but through his Grace, "who shows a greater peculiarity in promoting my suits than I in begging. Yet will his Lordship's recommendation or his preference signify little without your more prevailing intercession of which I can never doubt." *Pp.* 1¾. (*Hol.*). *Endd. S.P. Ireland* 311, 11.

10 Dec. Dublin Castle. SIR GEORGE LANE to SECRETARY BENNET.

I have to acknowledge yours of 29 November and 2 December, and the King's several letters about Chapelizod and other matters. I am also to enclose you, by the Lord Lieutenant's order, drafts of letters concerning Colonel Arthur Hill, Sir William Dumvill, Mrs. Connock, and Mr. Awbry. That for Dumvill is the same as the King has already signed, except that "Christopher" is inserted instead of "Peter."[1] I send a bill of £40 for Mr. Williamson, for your use as I think you should have your fees none the less because the Lord Lieutenant recommends the business.

The Commissions for Deputy-Lieutenants are in preparation; and as the Lord Lieutenant has said something to you about Ayers I will not say any more. As to Ellen, I can tell you that such an one is here, and has been here since long before my Lord's arrival, and when he heard that one of his name was mentioned in connection with a plot in England, he came to my Lord to vindicate himself. I am directed to tell you of this. If you know anything against this Ellen, the Lord Lieutenant will act towards him as you think well. I send a despatch from the Board. *Pp.* 2¼. (*Hol.*). *Add. Endd. Ibid.* 12.

General date

DOCUMENTS RELATING TO THE CASE OF SIR JOHN STEPHENS.

11 Dec. Entry of Petition of Stephens to the King, showing that:—

The King granted petitioner some lands in Ireland. He desires that upon settling of the interests there, compensation may be allotted him out of the moneys to be paid to the King by adventurers and soldiers.

With order, dated 16 June, 1662, Hampton Court, referring the petition to the Duke of Ormond. *P.* ½. *S.P. Dom. Entry Books XIII. p.* 127.

The King to the Lord Lieutenant for Sir John Stephens.

By our letters under the signet and sign manual dated Whitehall, 31 October, 1661, we signified our pleasure that Sir John Stephens,

(1) *See above, p.* 609 *and note.*

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the Governor of Dublin Castle, should have 10*s.* a day out of the Irish Exchequer over and above his established pay. This payment shall be reckoned to commence at the date of those letters which made Sir John governor of the castle.

The towns and lands of Luckinshanin [Lackinshoneen].
Gurteen.
Ballyhensey [Ballyhennessy].
Lisladen [Lisladeen].
Kegrallagh.
Tullagh.
Messell [Meeshal].
East Pluckants [East Pluckanes].
Ballytreheone [Ballintrain].
Knockankincuthy [Knockankin-Killew *now called* Kilcully].
Ballymorrisheen.
Ballyvillane [Ballyvelone].

East Ballyowine and other lands, in the barony of Barrett's, co. Cork, were granted by the late usurped power to Sir Brice Coghran, knight, for many years. They were a mere gift to him, and he has not so merited of us that we should renew the pretended lease to him. You shall, if you find it fitting, grant these lands to Sir John Stephens, who has served our cause loyally and well. Clause for immediate possession. *Pp.* 2. *Undated. S.P. Dom. Signet Office V. pp.* 312-14.(1)

Also note of Docquet of same, dated 10 Dec. *S.P. Ireland* 312, *p.* 6.

The King to the Lord Lieutenant for Sir John Stephens.

By our letter of 13 July, 1661, we granted to Sir John Stephens, Governor of Dublin Castle, all the towns, lands, &c. of Ballyknock, Ardemaill [Ardmayle], Gale [Gaile], Thurlesbegg, and 990 acres of Salahadmore [Solloghodmore] in the counties of Tipperary, with their appurtenances at a yearly rent of about 8*d.* an acre. You shall release this rent, reserving to us only such rents as you think proper. You shall also give him by patent a dispensation from the exercise by us or our heirs of the power reserved to us by the Act of Settlement to grant any patents which may be passed after the 30 November, 1660. *Pp.* 2. Dated —, 1662. *S.P. Dom. Signet Office V. pp.* 314-6.

Also note of Docquet of same, dated 11 Dec. *S.P. Ireland* 312, *p.* 6.

This concludes the documents relating to this case.

11 Dec. Copy of Certificate by Garet Fitzgerald.

As Deputy-Clerk of the Council of Munster he certifies at the request of Luke Gernon, second justice of Munster, to whom the

(1) Mr. Flood has kindly helped me to identify these names.

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King has granted an allowance of £100 a year, payable out of the casual profits and fines of the provincial court of Munster, that from 2 April, 1661 (the date of the patent) to the present time there has not been received in fines for contempt in Court more money than was paid out to Vice-President of Munster, to messengers to summon the Council to the sitting, and in going about the King's other affairs. The total was not 20*s*. *P.* ½. *Followed by*—

(1) Note [by Gernon] that the original of this letter is with his other petition.

(2) Copy of Sir Wm. Fenton to Luke Gernon at Ballyphilip.

Confirms the statement made above. The profits derived from this source will be too small to be worth looking after. *P.* ½. Dated 11 Dec., Mitchelstown. *In all, pp.* ¾ *in* Gernon's *hand. Endd. in* same. *S.P. Ireland* 311, 13.

13 Dec. Colonel Talbot to Secretary Bennet.

I have been sounding the Lord Lieutenant with a view to seeing how far he intends a kindness to you in this matter. "I took the opportunity of finding him alone in his closet, and truly I told him that most people here of his own friends did very much admire that his Grace was not warmer in serving you in your pretention to the estate the King had given you here, especially since it was obvious to all mankind that the proprietor was altogether irredeemable. I added likewise that no man had more reason than myself to know how much you desired his friendship and how you would endeavour to deserve it, and much more upon that subject. Long discourses there were upon it, but after a long hour's dispute I concluded with him that I would bring Mr. Brien and Mr. Churchill to him with a bill to present him, interesting you in that estate with provisoes also for the old proprietor; and likewise orders that the new provisors of it shall be forthwith reprised." This was the chief point with him, for I find that he never cared about Lord Clanmalier, but told me yesterday that he did not know where the men removed from that estate should be put. "I told his Grace as to that that the Commissioners would find such of them as were reprisable reprisals. 'I [aye], but,' says he, ''tis taking so much from the generality.' 'And admit it were,' said I, 'it were but a small matter, for 'tis taking one drop of water out of a hogsett.'" By the next post you shall know the utmost of what we can bring him to. I have prepared Sir George Lane for it and have spoke freely to him my sense. "If you knew the estate as well as I do you would be warmer in it." I have not seen Mr. Churchill since, but am now going to find him to acquaint him with what passed. *Pp.* 8. (*Hol.*). *Endd. Ibid.* 14.

13 Dec. Dublin Castle. Sir George Lane [to the Same].

Sending deputations for Sir John Warr and Mr. Chester, and a draft to be signed by the King. *P.* ½. (*Hol.*). *Add.* "For yourself." *Endd. S.P. Ireland* 313, 15.

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18 Dec. SIR WILLIAM DOMVILE or DUMVILL to DANIEL O'NIELE, of the King's Bedchamber.

I should be glad Mr. Secretary Bennet were satisfied with our putting in of his claim that we might proceed. I have found enough to make Lord Clanmalira nocent, and shall find more as time goes on. I have put in your claim for your annuity out of the barony of Dunluce. Other details. *P.* ½. (*Hol.*). *Add. Endd. S.P. Ireland* 311, 16.

18 Dec. Dublin Castle. PROCLAMATION by the LORD LIEUTENANT and COUNCIL.

It is our duty to give a right representation of the King's great care of and indulgence to his people and to make the execution of the laws as easy and safe to his subjects as the exigency of the times permits. Certain of his subjects who expect confirmation of their estates under the Act of Settlement may be unable, owing to the scarcity of coin in the Kingdom, to pay in the sums due from them on such confirmation and may be unwarily led away by hopes that the House of Commons would extend the period of such payment if application were made to it to do so. Many such persons may not have provided moneys [for such payments] and may fear that advantage will be taken of them for not having done so by December 15. Some of these have been utterly negligent in this matter and deserve no indulgence, whilst others have done their best and should be favoured. We manifest that the King takes more delight in the happiness of his people than in any advantage to himself, and therefore, acting under the power confirmed upon us by the Act "for Enlargement," &c., enlarge the time for the payment of the first half-year's value out of the estates of adventurers, soldiers and others to 3 February, 166⅔, by which day all persons concerned are enjoined to make this payment, making the most honest estimate they can of the value of their estates in 1659. If any one is found, on return of the Commissioners' valuation, to have paid too much, the surplus will be allowed to him, and we hope that "this readiness of ours to give satisfaction in this particular will . . . quicken all persons concerned in subsidies, quit-rents or other payments to his Majesty, to answer the same duly." If the King's necessity is supplied the country can be kept in tranquillity. *Pp.* 2¼. *Entry, with note of printing, &c.*, as previous proclamations. *S.P. Ireland* 309, *pp.* 93-5.

15 Dec. DOCUMENTS RELATING TO THE ADVENTURERS AND SOLDIERS PRETENDING TO THE ESTATE OF THE MARQUIS OF ANTRIM, ALEXANDER MACDONNELL and SIR JAMES MACDONNELL in Antrim and Coleraine as follows[1] :—

(1) Petition to the Lord Lieutenant of the several adventurers and soldiers, their assigns or tenants whose adventures and arrears were allotted upon and satisfied out of the above Marquis' and others in Antrim and within the liberties of Coleraine, showing that :—

Petitioners "whose names are particularly expressed in the annexed lists out of the surveyor general's office, being near nine

(1) A thin MS. book in which the various documents are gathered and entered together.

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hundred persons" had the forfeited lands in the several baronies of Carey, Glenarme, Kilconway, and Dunluce in the co. Antrim and part of Dunluce in the liberties of Coleraine set forth to them in 1655 and 1656 in satisfaction of their several adventures and arrears. These lands amounted to Ir. 107,584 acres and have since been held and enjoyed by them.

They have been at great charges in improving and building on this estate and in paying off charges which were upon it. They were encouraged therein by the Declaration and Act of Settlement and have paid in the half-year's rent required by the same Act in order to the confirmation of the premises.

These lands belonged to Randolph Marquis of Antrim, Alexander Macdonell, his brother, and Sir James Macdonell, all of whom were implicated in the late rebellion. Nevertheless they are informed that the Marquis of Antrim, not content with the provision which is made for him by the Act of Settlement, is now endeavouring to get some special order or proviso for restoring him to his estate before the petitioners are reprized. This, if it is done, would ruin petitioners who have disposed of their fortunes elsewhere and have settled, with their whole interest there, "and your petitioners cannot propound hopes to themselves to expect a reprize for so great a quantity of land when they consider the number of those who are like to be reprized on the account of innocence who, by the said Act, must receive preference before any other."

They pray that themselves, and thousands of women and children may be saved from the irreparable destruction. They have relied on "this great act." *Pp.* 1¼. *Signed.* (*Hol.*) *by*—

Massereene.
Joshua Rowley.
Peter Westenra.
Warner Westonra [*sic*].
Erasmus Smith.
Thomas Barrington.
Carro[l] Bolton.
James Spike.
[*Mark of*] Morgan Thomas.
Joseph Cole.
John Kennington.
Maurice Thompson.
John Howse.
Thomas Miller.
Samuel Hill.
Arthur Upton.
Tris[tram] Beresford.
Hugh Rowley.
John Galland.
Wint[hrop] Claypoole.
Elizabeth Ellis.
Samuel Key.
[*Mark of*] William Rothwell.

Pp. 2.

(2) List of the adventurers whose lots fell in the barony of Dunluce with the sums of money, but by them and the number of Irish acres due. *Similar* to the list in *Calendar of S.P. Ireland Adventurers* 1642-1660 at *p.* 354 (*q.v.*), except that Robinson appears for Robins and that John Lucas is not mentioned in this list.

Total sum advanced, £8,656 5*s*. Total number of acres due 42,611a. 2r. 15p.

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The barony of Dunluce, being set aside, towards satisfaction of the said adventurers, contains, according to the Down admeasurement 34,895 acres odd of profitable and forfeited land. *P.* 1, *the note signed by* John Peltie, Deputy-Surveyor General.

(3) A true abstract of the several debentures of the officers and soldiers belonging to Captain John Galland's company for their service since 1649, and their claims that are added thereunto :—

Gives the claims in money of :—

Captain John Galland.
Edmund Browne.
John Peirce.
Richard Harrison.
William Artill.
William Allum.
John Bucksbea *alias* Bucks-head.
Timothy Barrow.
Thomas Benham.
Mathew Bellewmy.
Robert Cheatome.
Francis Carter.
William Cocket.
John Davis.
Thomas Evetts.
John McGibbons.
Robert Prath.
John Hill.
George Harrod.
David, Richard and Rice Joanes or Jones.
Walter and David Jenkins.
Jonas Jeffry.
William Leath.
Richard and John Long.
Thomas Lazenby.
Christopher Miller.
Alexander McWilliam.
Robert Mathews.
William Neale.
Patrick Purse.
James Playster.
John Quin or Quine.
William Rose.
Thomas Smalley.
Thomas Spenser.
Richard Stillington.
Sergeant Bassill [?]
Richard Shreiffe.
William Sharpe.
Thomas Launce.
Thomas Reynolds.
John King.
Thomas Davenport.
Thomas Averill.
Edward Booth.
Roger Bevon.
Mathew Blundle.
Bartholomew Blackey.
Thomas Cooper.
Ambrose Cooper.
Robert Castle.
Thomas Deere.
Henry and William Devord.
Edward Elverd.
Thomas Gould.
Robert Hutchins.
Thomas Houlden.
Bryan Hoggan.
Henry Johnson.
Thomas Jaslin.
Robert. Lewis.
Arthur Lyon.
Francis Lambard.
Symon Manought.
James McMackins.
Edward and John Mitchell.
Richard Manley.
Francis May.
Thomas Pearson.
George Peartree.
Thomas Price.
Thomas Radley.
Richard Rodford.
Thomas Swift.
John Sickitt.
William Seaman.
William Stone.
James Swayne.
James Spike.
John Theirsby *alias* Thomas.

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William Wright.
James Tompson.
Morgan Thomas.
John Walfon, *sen.*, and John Walfon, *jun.*
Richard Williams.
John Watkins.
Rice Williams.
John Boy.
William Gill.
John Lemon.
James Porter.
Thomas Stringer.
James Howell.
Nicholas Thomas.
Thomas Neaton.
Thomas Rouffe.
George Steele.
William Midgley.
Walter Pike.
William Hill.
Thomas Cordin.
John Tracy.
Henry and John Walton.
Thomas Waggerd.
John Woodcock.
Rowland Bounting.
John Grobb.
Edward Jones.
Thomas Lenord.
Arthur Pew.
Thomas Churchouse.
James Tubbine.
Thomas Leach.
Thomas Small.
John Smith.
Thomas Radford.
Robert Stubbs.
James Roberts.
William, William and Jerimy Jeram.
Giles Martiall.
John Rice.
Justilian Rawlins.
William Burnett.

The underwritten are added to the company as claimants:—

Richard Bird.
John Waller.
Edward Jones.
Thomas Field.
Henry Carter.
Rice Jones.
Henry Ham.
Abraham Thomson.
John Cory.
Nicholas Howlett.
Soloman Edmonds.
Godfrey Brocksbank.
Lennord Snowden.
Peter Thruster.
Henry Langdale.

Pp. 4. *Certified and examined by* [Sir] John Pettie; *and with note* (*signed*) *by* same, that this list contains the several debentures satisfied in Captain John Galland's lot. In part satisfaction of his debt there was set out 5,597 acres, 2 roods in the Liberties of Coleraine and co. of Londonderry, and 2,169½ acres in the barony of Kilconway, co. Antrim.

Abstract of the officers and soldiers debentures belonging to Captain Thomas Barrington in the Lord Deputy's [Fleetwood's] regiment of foot.

Gives the claims in money of:—

Thomas Barrington (2 debentures.)
Richard Onnyon.
John Lucas.
Joseph Colle.
William Bostock.
Thomas Turner.
Ambrose Robsart.
John Ellis.
Francis Scott.
Thomas Parker.
Ambrose Davis.
Alexander Jarvis.
Roger Antly.

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James Ayres.
John Betson.
William Barrett.
James Baragan.
Patrick Blake.
Robert Berry.
David Bowyn.
Theophilus Boademan.
William Barnesdell.
Edward Cornish.
Thomas and John Clarke.
John Caddington.
Michael Lambe.
Denis Culingham.
Henry Colup.
William Cashwell.
Thomas Duest.
George Dickinson.
William Draper.
Henry Easter.
Hugh Fletcher.
Thomas Farrow.
Edward Feynes.
Edward Goodwin.
John Garrod.
Richard Hore.
John Hastings.
John Holmes.
Richard Hurleston.
Henry and John Hill.
Robert Johnson.
John Kelly.
Daniel Keagh.
Thomas Lewin.
George Large.
John Midelston.
Ralph Nutt.
William Prophett.
Richard Parsons.
John Reynolds, *sen.*, and John Reynolds, *jun.*
William Rothwell.
Thos. Renney (3 debentures).
Isaac Stevenson.
Edward Stimpson.
Ambrose Stumers.
William Todde.
Morgan Toole.
Ralph Turner.
John White.
Thomas Woods.
Henry Wakefield.
John Avitt.
Robert Bones.
Thomas Braoder.
Isaac Beghy.
Anthony Bankes.
Adñ [*sic*] Besseyck.
John Barlow (2 debentures).
Francis Bray.
Patrick Barrett.
John Collitt.
Thomas Cowell.
Thomas Carter.
Cornelius Charles.
Edward Jones.
Patrick Crowley.
John Couly.
Thomas Dyens.
Owen Doylie.
Hugh Davis.
John Emsted.
John Ellis.
George Free.
John Frizell.
John Griffin.
Henry Grady.
William Glanfield.
David Hughes.
Edward Huitch.
James Hooper.
William Hanam.
Griffin and Richard Jones (2 debentures).
William, Edward and James Kennedy.
Robert Langford.
John Loe.
John Mott.
John Munkester.
James Pinnit (2 debentures).
Richard Pateridge.
Charles Pumery.
William Richards.
William Sparke.
George Stavers.
Robert Staveruke.
Morgan Thomas.
George Taylor.
James and George Towers.
Robert Vigeros.
John Warloe.
Thomas Whiticar.
Nicholas White.

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John Wilson.
William Holand.
Nathaniel Wetherly.
Henry Dreain [*sic*].
Captain Bryan Mulhallan.

The total sum claimed for is £2,637 8*s.* 3*d.*

Pp. 3½, *with note signed by* [Sir] John Pettie that the above contains the debentures satisfied in Captain Thomas Barrington's, in part payment of which there was set out 7,315 acres of the forfeited lands in the barony of Kilconway.

Abstract of the debentures of Captain Wingfield Claypoole's troop in Lord Fleetwood's regiment of horse, for service since 1649.

Gives claims in money of:—

Thomas Miller administrator to Captain Samuel Porter, deceased.
Lieutenant Samuel Wilkins.
Quartermaster John Barnes.
John Miller.
Thomas Francis.
Cornet William Walkington.
James Kettle.
Richard Bayley.
Moses Ash.
Philip Sicill administrator to Robert Anderson, deceased.
Edward Arthur.
William Batt.
John Blaicklock.
William Banfield executor to Robert Husband, deceased.
John Barber.
Robert Baxter.
John Browne.
Teig Bryan.
William Broadbanck.
Thomas Clarkson.
Richard Colton.
Abraham Blood.
William Banfield.
John Bright.
James Boyce.
Gerard Bradshaw.
Michael Currant.
John Cheyney.
Edward Goulding administrator to Richard Davison, deceased.
Teig and George Drury.
Patter Eaton.
Richard and Richard Deane.
Honora Evans administrator to John Evans, deceased.
John Greene.
John Goffe.
Thomas Smith administrator to Peter Grimstead.
Robert and Nicholas Gates.
Standish Grady.
Jewell Heath.
Jonathan Hammond.
John Horton.
Thomas Hobbs.
Richard Heather.
Richard Hollcrofte.
John Jackson.
William Juckley.
John King.
Edward Goulding.
John Hopkinson.
William Horsley.
Mathew Hacker.
Thomas Heyward.
Thomas Hope.
Symon Hicks.
William and Walter Johnson.
Thomas Kirdell.
Roger Ledman.
Robert Naylor and James Boyce executors to James Lathwaits.
Thomas Markes.
Thomas Mander.
Robert New.
William Penery.
William Milles.
Robert Naylor.
John Plunckett.
Edward Parker.

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William Peace.
Thomas Revan.
George Rampshire.
Thomas Stanley.
Thomas Stacey.
Nicholas Quinn.
George Reyley.
Henry Reeves.
Philip Surrell or Sissell.
Abraham Swallow.
Dennis Sexton.

Edmund Parker executor to Gibbs Sissly [*sic*].

William Scott.
Jasper Sweetman.
John and Thomas Turner.
Thomas Wiltorr.
Thomas and John White.
Thomas Smith.
William Thompson.
Edward Vicary.
Richard Wilkinson.
William Winsor.

George Reyley executor to Henry Wilkinson.

Richard Smith, transferred from the Lord Deputy's troop to this.

Patrick and Anne [?] Eaton administrators to John Quick, deceased.

Those transferred with Captain Claypoole from Major Peter Wallis' troop to this :—

Captain Wingfield Claypoole.
Christopher Mawdsley.
William Woodman.
Ralph Brightman.
Thomas Neale.
John Chamberline.

Claims :—Richard Wilkinson, Lieutenant William Hayes and Robert Bohannan.

English :—John Miller and Captain Samuel Porter.

Post Entry. Contains the claims in money of :—

Dermot McMannament.
Christopher Hewitt.
Richard Musgrave.
William Gell.
John Brewen.
Thomas Bellington.
John Coode.
Thomas Barrey.
Stephen Guy.
William Hewes.
Henry More.
Martin Vinalfin.
John Woods.
John Paines.
Francis Hickopp.
John Davis.
Mathew Griffen.
Richard Morris.
Richard Kent.
Thomas Williams.
John Whitle.
John Coe.
Edward Wells.
John Slicer.
Robert Jones.
John King.
William Wells.
William Shaw.
Jerimi Bennett.
James Crosshill.
Peter Bowen.
Francis Twyford.
John Johnson.
Samuel Ruth.
William Skelton.
Robert Camells.
Robert Beverley.
George Whitaker.
Thomas Nelson.
John Pertington.
Thomas Hich.
George McKatrick.
Evan Davis.
Arthur Brock.
George Woods.
Edward Taylor.

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Thomas Rider.
Edward Wood.
Nicholas Malowne.
William Smith.
Patrick Garrett.

Pp. 7, *with note signed by* Pettie as foregoing that the above list contains the several debentures satisfied in Captain Claypoole's or Claypole's lot. The total amount of land given its satisfaction was 21,452 odd acres of which 14,115 were in Kilconway barony and 7,336 in the barony of Cary, co. Antrim.

Abstract of the debentures of Captain Robert Stearn or Stearne's company in Lord Deputy Fleetwood's regiment of foot:—

Robert Stearne.
Abraham May.
William Galley.
Robert England.
Henry Begg.
William Amor.
Thomas and Robert Braidy.
Thomas Brewer.
William Butche.
John Brown.
William Ballenger.
Cormack Canran.
Nicholas Cullymore.
Edward Cullen.
Richard Calrogh.
William Carton.
Richard Dempsy.
Isaac Darsy.
Evan Davis.
Richard Drake.
Brian Haggan.
Arthur Fagan.
William Farmer.
Robert Goggin.
William Gould.
James Hodnet.
John Hicky.
Henry Humphreys.
John Hawkins.
William Hunt.
John Inman.
John Ingram.
John Garrett.
John Lightburne.
Thomas Langley.
John Linkhorne.
John Longdale.
William Morrison.
Walter Murphy.
John Norris.
Robert Cooke.
Thomas Powell.
William Isack.
Francis Hill.
Patriarch and Alexander Anity.
John Ashley.
John Bartholemew.
William Bucke.
Richard Brower.
John Beedle.
William Bray.
William Chapman.
Walter Conner.
John Colgan.
Francis Chalke.
John Dalliny.
Jeffrey Doran.
Edmund Dower.
Alexander and John Daniel.
Morris and Roger Evans.
Nicholas Fullman [?].
William Fulkes.
Rose Griffin.
John Goven.
Lot Heyes.
James Holcroft.
John Hill.
Stephen Hall.
Edward Hollygan.
Roger, William, Thomas and John Jones.
John Graner.
John Jukes.
Robert Lodd.
Hugh Lewis.
Thomas Lankford.
James Morgan.
John Mason.

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William Nutby.
Samuel Parmitur.
John Purson.
Hugh Roberts.
John Sadler.
Robert Steele.
Rice and Griffin Tanner.
James and Thomas Thomas.
Cadwal Williams.
Samuel Wilson.
William Welles.
Robert Williams.
Thomas Warringfield.
James Stearne.
Evan Rogers.
John Sadler.
William Spilsbury.
John Meridith.
George Naseby.
Symon Price.
William Pinke.
Glasney Really.
Philip Rowland.
Thomas Stevens.
Edward Tensh.
John Toe.
John and Henry Tuke.
Thomas Varny.
John Woods.
John White.
William Watts.
John Worger.
John Demunis.
John Easton (2).
John Swan.
Edward Spray.

Total sum £2,543 15*s.* 5*d.*

Pp. 3¾, *with note by* Pettie certifying that this list contains the several debentures satisfied in Captain Robert "Sterne's" lot; in part satisfaction of which there were assigned 7,055 odd acres in the barony of Cary.

List of loose debentures satisfied at the same time as foregoing.

Contains the money claims of:—

Ensign John Nelson.
John and Ringan Nelson.
William Pancke.
William Glasson.
Nathaniel Serjant.
Edward Browne.
Jeremiah Cannon.
Christopher Perkins.
Major Dudley Philips.
Lieutenant John Owens.
Captain Frances Danvers.
Major Thomas Deane.
Teig O'Coran.
Ralph King.
Sir Edward Povey.
Thomas Potts.
John Naughton.
Henry Jewell.
Robert Crowder.
John Peacocke.
Richard Hoskins.
Lieutenant John Earpe.
Philip Owen.
Chichester and Pawlet Philips
Anthony Lawson.
John Whitten or Wheaten.
Ralph King.
David Scott.
Captain Anthony Stampe.

Total value £1,443 8*s.* 4*d.*

Pp. 1½, *with note by* Pettie as above. In part satisfaction of the debt there was set apart 4,003 odd acres in the barony of Cary.

Abstract of the debentures of Captain Richard Franklin's troop in the Lord Deputy Fleetwood's regiment since 1649.

Gives money value of claims of:—

Captain Richard Francklin.
Quartermaster Laurence Cox.
Lieutenant Joseph Strode.
John Andrews.

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Simon Dillon.	Robert Galltry.
William Mamus [? Munus].	Laurence Hodgson.
John Brathicke.	William Dowson.
John Wildwood.	Henry Adamson.
Henry Plunket.	Edmond Benton.
Richard Bellarby.	John Finch.
John Floyd.	George Gillfoard.
George Helton.	John Manuell.
Samuel Maltby.	Christopher Nixon.
William Rowton.	Thomas Robison.
Edward Smith.	Thomas Stanfield.
Benjamin and Edward Sloate.	Richard Swinerton.
Peter Sikes.	James Winter.
John Bell.	Griffin William.
Anthony Hartly.	Daniel Cooper.
Ralph Welbanke.	Gabriel Throckmorton.
Samson Bready.	Richard Bull.
George Coale.	George Crowford.
John Jones.	Thomas Newce.
William Joanes.	Vincent Eagles.
Thomas Charleton.	Thomas Guest.
Thomas Fox.	James Herbert.
Richard Hughes.	Nicholas Horner.
John Knockwood.	John Locke.
Robert Kitt.	John Norbery [?]
Thomas Merryfield.	Samuel Norris.
William Everett.	Richard Roberts.
Samuel Richardson.	John Dobbe.
Nathaniel Willis.	Thomas Gerlington.
Edward Gornidge.	John Gibbons.
William Wilne.	Edward Atkins.
Arthur Taylor.	Thomas Workman.
Edward Burton.	Samuel Hacker.
Roger Ritt.	Robert Porteman.
John Harrison.	Nicholas Bagley.
Thomas Norman.	Thomas Lerke.
John Emerson.	Theophilus Penson.
Nicholas Swinstoe.	John Probert.
John Gibson.	James Herrick.

Thomas Robison, administrator to Shelly Chapell, deceased.

John Finch	,,	,,	Richard Bardell,	,,
John Andrewes	,,	,,	Lawrence Jetlow,	,,
Thomas Lovill.			Henry Tickle.	
John Carwithin.			John Kirke.	

List of arrears of soldiers now in this troop for service performed by them in other regiments since 1649.

Gives value in money of claims of:—

Robert Relly.	William Oakes.
Pierce Stinson.	John Gillegan.
Henry and Roger Street.	John McAwlay.

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James Birt.
Captain Marius Roma.
John Williamson.
Frances Killpatrick.
Cornet Robert Reynor.
John Venables.
Edward Withers.

Thomas Charleton, administrator to Nicholas Charleton, defunct.

List of arrears of soldiers in other troops of this regiment, now transferred to this troop.

Thomas Chamberlain of Captain Walye's troop.
Edmund Mills ,, ,, Claypole's troop.
Jeremiah Hawes ,, ,, Lisle's ,,

Claims:—

Robert Douglas.
Peter Bosse.
William Teame.
Christian Shelton, administrator to Thomas Aynes.
Michael Harrison ,, ,, John Harrison, deceased.
Robert Simond, claimed per Roger Rett of this troop.
Isabel Moore, administrator to John Moore, deceased.
Anne Smith ,, ,, William Smith, ,,
Jane Langton ,, ,, Charles Langton, ,,
John Langerdall of Captain Salte's troop in Col. Prettye's regiment.
Alexander Merryman of same.
John White and Henry Ebbs of same.
Rowland Davis of Captain Otway's troop in Lieutenant-General Jones' regiment.
Robert Bradshaw of Lieutenant-General "Joanes'" own troop.
Edward Cassell of Captain Arthur Purefy's troop in Colonel Chidley Coote's regiment.

English: Robert Reinell.

Post Entry. Gives value in money of claims of:—

James Coleman.
Roger Carter.
Robert Jewett.
William and George Baker.
Thomas Boote.
Timothy Hewes.
William Yong.
Lieut. Israel Sands.
Do. do. [English deb.].
Joseph Allen.
Joseph Bakewell.
George Worrall.
John Cawfield.

Total value of claims £7,336 19*s.* 7*d.*

Pp. 5½, *with note by* Pettie as in foregoing cases. In part satisfaction of these claims there was set forth 1,873 acres odd in the barony of Cary and 16,225 acres odd in the barony of Glenarm.

Abstract of all the debentures in Major Bryan Smith's company in the Lord Deputy Fleetwood's regiment of foot.

Gives money value of claims of:—

Major Bryan Smith (for English and for Irish service).
Rice Powell.
Thomas Anger.
Basill Purefoy.
Robert and Richard Bridges.

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John Barrowes.
Thomas Bluntt *alias* Bunte.
John Bridges *alias* Briggs.
Christopher Barker.
Philip Browne.
Christopher Caien [Caine].
Christopher Caine [? *same as foregoing.*]
Giles Davis.
Christopher Dunn.
John Dobson.
John, Giles and Jenkin Davis.
Humphrey Fleming.
Francis Fox.
John Gargrove.
William Gabriell.
William Gabriell [? *same as foregoing.*]
John Hawkins.
Samuel Haies.
Nicholas Heweson.
John Hawskins.
Walter and Nicholas Jaxon.
Merid and Hugh Jones.
Nicholas Knight.
Thomas Lee.
John Morrice.
Richard Malledge.
William Maykin.
Edward Mosse.
Edward Mills.
Michael Mallison.
Edward Nicholls.
Phillimon Pallar *alias* Pender.
Laurence and William Phillips.
John Prince.
James Powell.
William Reason [? *same as above.*]
Thomas Walker (*Ir.*).
William Rogers.
Richard Rawbone.
John Smith.
William Smyth.
John Skerry.
Richard Smith.
Richard and William Short.
Richard, Arthur, William and Hugh Thomas.
Richard Barefoote.
Mathew Bayley.
Nicholas Buttler.
Henry Button.
John Bradshaw.
Jacob Basting.
James Crooley.
Christopher Cordiall.
John Cooper.
John Drover.
Daniel Darbey.
Christopher Dunn [? *same as above.*]
William Frenchfield.
Richard Goodman.
Thomas Griffin.
Mathew Heggard.
Thomas Hannington.
Henry Hugglescott.
John Hustler.
William James.
Edward Kitching.
John Lewis.
Lewis Rutherick.
Michael Meredith.
William Martin.
Francis and Evan Morgan.
Edward Miller.
Edward Nash.
John Phelpots.
Thomas Powell.
Robert Price.
Nicholas Pudsay.
James Perry.
Morgan Rice.
Richard Rutland.
Thomas Walker (*Eng.*).
William Reason.
Richard Arthur.
John Saunders.
John Sharpe, jun.
Christopher Spanton.
John Sharpe, sen.
Edward Stayner.
George Tomlinson.
William Whiteing.
William Sampson.
John Welding.
William Welton.
James Weaver.

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Thomas Venn.	Henry Wright.
Robert, Francis, Rice, John and Samuel Williams.	Morgan Yorke.
	Henry Winter.

The underwritten are added to this company as claims, and desire to be satisfied with them.

Edward and James Bentley *alias* Bethell.	Adam and John Skinner.
William Ashman.	Dennis Franklin.

Total sum £3,335 3*s.* 9*d.*

Pp. 4, *with note by* Pettie as above. 6,999 acres in Glenarm barony were set out in part satisfaction of this lot. *In all, pp.* 40. *Endd.* Presented to the Lord Lieutenant at the Board by Lord Viscount Massereene, 15 Dec., 1662, and there read. *S.P. Ireland* 311, 17.

15 Dec. Whitehall. The KING to the LORD LIEUTENANT for JOHN TALBOT, of Malahide.

We are anxious to restore Talbot to his estate, but hear that a part of it is given to the widow of Dr. Bastwick by our late Act of Settlement. She shall be otherwise provided for, and Talbot shall be restored. *P.* ⅔. *S.P. Dom. Signet Office V. p.* 346.

ENTRY OF PETITION.

Captain James Weldon desires recommendation to the Duke of Ormond to be established in his estate in the co. Kildare, which was taken from him by the usurpers, and free from all encumbrances of soldiers and adventurers.

Same. The King directs reference to the Duke of Ormond. *P.* ⅓. *S.P. Dom. Entry Book XIII. p.* 196.

PETITION of CAPTAIN MICHAEL BRETT to the KING, showing that:—

Petitioner has long waited on His Majesty's fortunes until now disbanded at Dunkirk. His late father had and enjoyed in Ireland an estate called Tulloge, with several other parcels of land to which petitioner is heir. Sir William Pettie obtained this estate from the usurped power, but not as adventurer or soldier.

He prays for the benefit of the Act of Settlement that he may be restored. *P.* ½. *Underwritten with*—

16 Dec. Order, dated at Whitehall, and signed by Secretary Bennet, referring the petition to the Lord Lieutenant. *S.P. Ireland* 311, 18.

Also entry of the above in which the estate is called Tullage with note of the order of 16 Dec. *S.P. Dom. Entry Book XIII. pp.* 195-6.

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[About 16 Dec.] The KING to the LORD LIEUTENANT for LORD CHANCELLOR EUSTACE.

The Lord Chancellor recently purchased the manor or lordship of Chapelizard [Chapelizod] near our manor of the Phœnix, co. Dublin, but is willing to give up 400 acres of his land there to be laid into our said manor. He has bound himself in £10,000 to stand to the judgment of the Earl of Orrery and Arthur Hill, Esq., who have been appointed respectively by himself and by you on our behalf, to make an award in the matter. You shall compensate the Lord Chancellor by money, lands, releases of rents or otherwise as you shall think fit. *P.* ⅔. Dated — 1662. *Entered next the following. S.P. Dom. Signet Office V. p.* 310.

Same. SAME for WILLIAM COVENTRY and WILLIAM LEGGE.

Granting the petition of Coventry and of Legge, who is a Groom of the Bedchamber. They have asked for the fractions of pounds, shillings, and pence, and the fractions of acres, roods and poles, which, according to Acts recently passed in Ireland, are, in the payment of public debts, reserved to the King. They shall pay such rents therefor as the Lord Lieutenant thinks fit. The Lord Chancellor and others named to issue commissions from time to time for carrying this grant into effect. Full clauses for execution. *P.* 1½. *Undated. S.P. Dom. Signet Office V. pp.* 311-2.

Also note of docquet of same, dated 16 Dec. *S.P. Ireland* 312, *p.* 6.

17 Dec. Dublin Castle. The LORD LIEUTENANT and COUNCIL to SECRETARY BENNET.

Some of the bills which we have sent to England for the King's approval have not been returned; nor are we informed that they have been totally laid aside. "And albeit sometimes all the reasons inducing such transmissions from hence are not fit to be expressed in the bills so fully as they might be, but are according to custom generally expressed as fit in the instrument of transmission, whence perhaps it is that His Majesty may be unsatisfied in the reasons of those bills not returned back to us; yet considering that as we presume not to transmit any bills to His Majesty, but such as we here upon this place do conceive to be fit and necessary for His Majesty's service, and the good of this his kingdom, and that some of them may for other reasons not known to us, wherein perhaps may be involved other reasons more than those relating to this kingdom, which considerations might induce His Majesty not to return back hither those bills, and that as we well know it to be our duty in such cases in His Majesty's good pleasure . . . ., so in case the stay on that side be for reasons relating only to this kingdom, we humbly offer it to His Majesty's Royal consideration whether or no he may hold it fit in such cases to command notice

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to be given to us his servants of those reasons, to the end we may apply ourselves to give him satisfaction therein." *Pp.* 1½. *Signed by* the Lord Lieutenant, Lord Chancellor, Archbishops of Armagh and Dublin, and ten other members of the Council. *Add. Endd. S.P. Ireland* 311, 19.

18 Dec. Dublin Castle. PROCLAMATION by the LORD LIEUTENANT and COUNCIL.

We are informed that, for want of pay, the soldiers of the army have had to run into debt for provisions and fodder since 11 Feb., 166$\frac{2}{1}$, at which time the King's authority [and] arms in Ireland were "reduced and established." Those to whom such debts are owed in any garrison town or place, and who desire payment out of the soldiers' arrears, shall make written statements thereof and send them to Dublin to the Earl of Anglesey, with the soldiers' tickets acknowledging the debts. They will then be returned to the creditors and are to be kept by them till they receive satisfaction. We ordered these tickets to be taken of the soldiers in order that their pay might be docked accordingly. *P.* 1. *Entry, with note of printing, &c.*, as previous proclamations. *S.P. Ireland* 309, *p.* 96.

20 Dec. Whitehall. The KING to the LORD LIEUTENANT for ANNE CONNACK.

By letters of 13 April, 1661, we directed the Lords Justices to settle a pension of £50 a year upon Anne the relict of Col. John Connack. This pension, which has fallen into arrear, shall be paid up, and shall, to ensure punctual payment, be placed "into the establishment of the civil list" in Ireland. *P.* ½. *S.P. Dom. Signet Office V. p.* 318.

Also note of docquet of same. *S.P. Ireland* 312, *p.* 8.

Same. SAME for WILLIAM AWBRY or AWBREY.

Awbry was appointed in 1641 by the Lords Justices in Ireland to take care of the sick and wounded soldiers of our army and to prepare a hospital for them. In this service he spent £516, which has not been made good to him. He shall receive 20*s.* a week from the Exchequer as from 13 October last till we or you shall see cause to stop it. You shall place this payment upon the civil or martial list in Ireland. *P.* ½. *S.P. Dom. Signet Office V. p.* 318.

Also note of docquet of same. *S.P. Ireland* 312, *p.* 8.

Same. SAME to the EARL OF ORRERY and others for inquiring into the value of lands set out for adventurers' arrears.

The two half-years' rents due from the adventurers and purchasers of lands from transplanted persons in the province of Connaught and co. Clare, and the half-year's rent payable by the soldiers and

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the year or year and a half's rent charged upon lands and tenements in Ireland given by the Act of Settlement, are distinct payments and in no way applicable to the other satisfactions propounded by our Declaration. It will require special skill to find means for discovering the several estates of adventurers and soldiers so as to prevent frauds of concealment, &c. We order you to pass patents commissioning the Earls of Orrery and Anglesey, Lord Massereene, Sir James Ware, John Bysse, Sir John Percivall, Sir George Lane and Sir Audley Mervin or any three more of them to inquire by oath as to the value of the lands set out to adventurers, soldiers, purchasers of transplanted persons or grantees by patents, as the same were worth in 1659. They may appoint agents who shall prosecute the inquiry in the different counties in order that the Exchequer may be informed of what value are of the lands in respect of which half-year's rents, &c. must be paid. *Pp.* 1½. *S.P. Dom. Signet Office, V. pp.* 321-3, *and undated entry of same, p.* ½. *Ibid. p.* 310.

Also note of docquet of same. *Six lines. S.P. Ireland* 312, *p.* 7.

20 Dec. Sir George Lane to Secretary Bennet.

I have yours of the 6th and 13th, and have acquainted my Lord Lieutenant with the fact of your having despatched the several letters I sent for His Majesty's signature, and send you three more, with regard to which he asks for prompt assent. Two of these concern my Lord Shannon, and one Major Walsh, who served the King very well under my Lord's command. The other concerns the Lord Chancellor of Ireland, with whom I have had much conversation about Mr. Lye. *Other details.* The Explanatory Bill has come, but must "lie in lavander" till Parliament meets again on Feb. 3. The Lord Lieutenant went to the House of Lords to-day and gave the Royal assent to several bills. Sir Audley Mervin made "a merry speech" of which I will read you a copy if I can get one from him before I make up the packet.

People are glad to hear of the news of proceedings against the plotters and begin to think there was a plot.

P.S.—Sir Audley swears he has no copy of his speech. *Pp.* 3. (*Hol.*). *Add.* "For yourself," *Endd. S.P. Ireland* 311, 20.

20 Dec. Dublin. Colonel Talbot to the Same.

Mr. Churchill and I, finding the Lord Lieutenant was not pleased with our scheme in your behalf for the Clanmalier estate, have altered it. A patent giving you the reversion when the line of Lord Clanmalier is extinct would give you little, for though Lord Clanmalier may have forfeited his rights the Act of Settlement gives to those who are on the estate the right to enjoy it during the lives of all those that derive from Lord Clanmalier. These are all adventurers and soldiers, except Lord Aungier, who comes in by

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gift. You would not therefore come in till after Lord Clanmalier's line was extinct, and I believe that—but shall soon know whether —his line goes beyond him and his son. Under these circumstances I went to Mr. Attorney, gave him a good fee, and asked him how the thing was to be done. He says absolutely there is no way but a bill from hence. As Lord Anglesey is the great patron of the adventurers and soldiers on this estate, I thought it best to approach him. I therefore did so and let him see that, without a bill, the soldiers and adventurers were in a great uncertainty. They had but five [?] lives in the estate at best, the remainder being in the King; and if he would bring them before him and show them this, they would themselves petition the King or Lord Lieutenant that they might have a reprise for that estate and, consequently, you the benefit of your grant.

Lord Anglesey approved much of this and promised to summon all the people to him next Monday. I have asked Mr. Attorney to be there to make it clear to them, and Lord Anglesey expressed much kindness to you in the matter. He is grateful to you for having spoken well of him at Court whilst others did the contrary. Lord Anglesey is the man who can do most in this matter, and *in all other things which go on here.*[1] If you think fit, acknowledge his kindness to himself or me. *Other details.* If you are as warm in the matter as we are here, we shall "enfallibly" pass it. I will stay here to carry this matter out. I am pushing on with some small concerns of my own. *Pp.* 3¾. (*Hol.*). *Endd. S.P. Ireland* 311, 21.

20 Dec. Dublin. SIR ALLEN BRODERICK to [SECRETARY BENNET].

Parliament has adjourned till Feb. 3, despite the arrival of the Explanatory Bill. The Court of Claims does not begin to adjudicate till after Christmas, nor have we yet made any considerable progress towards a settlement. "But this is the country of hope, how perplexed soever," and I am hopeful for myself so long as you take an interest in me. *P.* ½. (*Hol.*). *Endd. Ibid.* 22.

22 Dec. Whitehall. The KING to the LORD LIEUTENANT for VISCOUNT LOFTUS OF ELY.

By our letters of 26 July last, at the humble suit of Edward Viscount Loftus of Ely, we requested you to examine into the alleged illegality of a decree made at the Irish Council Board in the matter of the estate of Adam Viscount Loftus in 1637, and that, if you found the illegality thereof to be as alleged, you should draft and send over here a bill, to be approved by us, for reversing the said decree. We have now heard that the decree was appealed against in 1639 and declared good by King Charles I. in Council here. As we are anxious to protect the infant, who claims under

(1) The italicised words are in Spanish. Mr. Crump of this Office has kindly translated them for me.—ED.

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the decree, and as we are unwilling to disturb an arrangement approved by both Councils, we direct you not to act further on our letters of 26 July and to let the infant have his remedy at law. *P.* 1. *S.P. Dom. Signet Office V. pp.* 323-4.
Also in *S.P. Ireland* 312, at *pp.* 8-9.

23 Dec. Docquet of grant of licence in mortmain and [of] such powers of giving, taking and receiving all the lands, honours, manors, &c., lately granted by the King to "the Governor and Assistant [*sic*] London of the new plantation of Ulster," as were formerly granted to the said Society and the twelve chief companies of London by King James' letters of 30 September, 1615. *Ten lines. S.P. Dom. Docquets, XXI. p.* 176.

24 Dec. Dublin Castle. Sir George Lane to Joseph Williamson.

I have received the Explanatory bill and send a bill of exchange for Mr. Secretary's fee for Mr. Justice Boothe's proportion of the letter concerning his and the Lord Chief Justice's increase of salary. "I have had the confidence to 'pouse' the Chief Justice to the performance of his part, which he hath consented to; but yet he is gone out of town without it. I shall attack him when he returns and doubt not to overcome." I shall be glad to serve you. *P.* 1. (*Hol.*). *Add. Endd. in Williamson's hand. S.P. Ireland* 311, 23.

27 Dec. Sir Henry Coventry to the Same.

I am hoping to wait on you before this reaches you.
I have given what you ordered me to Col. Talbot and Mr. Churchill, but the latter is not so well disposed to a winter journey to London as I am. "We single men are the franker travellers." I doubt if the Explanatory Bill will pass. *P.* ½. (*Hol.*). *Endd. Ibid.* 24.

27 Dec. Dublin. The Earl of Orrery to Secretary Bennet.

"Sir,—Had not a fit of the gout hindered me I would have presented you by Sir James Shaen with the unfained offer of my humble service; but being now restored to the use of my hand, the first employment of it is to do that now which else I should have done then, though I doubt I may more need your pardon for the voluntary action than for necessitated omission; for your time is considerable to many, and such an address but robs you and them of so much of it. I shall therefore make haste to assure you I am

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much more desirous you should know me by my services than by my professions, those being more proportionate to your merit, and to the respect which is due unto it from, Sir, your most obedient and most humble servant, ORRERY."

P. ½. (*Hol.*). *Add., with seal. Endd. S.P. Ireland* 311, 25.

27 Dec. Dublin. PATRICK BRIEN or BRYAN to SECRETARY BENNET.

I have your letter mentioning Sir George Wentworth's expostulating address to you touching my treaty with Lord Clanmalira and offering to become instrumental in that mediation. I have by three letters informed you of my proceeding in the matter and in others, and omitted nothing wherein my industry might be useful to carry them on, "and having brought that treaty to this issue—that if I did make appear to my Lord Clanmalira's counsel an impossibility (according to the present law) of his restitution, he would condescend to an agreement: and having offered that, such an impossibility being made out, I would make an overture of a considerable estate in possession to be secured for him, such as would evidence you had a mind rather to help than hinder him; yet (after keeping me four days in hand, as if he would go on), he at length declined it, and of late, I understand [heard] of an offer made him . . . by Sir George Wentworth that for one thousand pounds he would secure his restitution, which inclines my belief that his hopes from him occasioned his breaking off his treaty with me." I had several discourses with the Lord Lieutenant on the matter. He is favourable to what you want if it can be handsomely done, but is opposed to putting a proviso into the last bill as it would be a precedent. I therefore think the enclosed bill offers the best course, and if we deal with a few of the best qualified adventurers and soldiers and frame the bill in their names, the rest will not be able to oppose, especially as the bill contains a clause for all reprisable persons. I think Lord Anglesey is favourable, and I have advised Col. Talbot to agree that if any adventurer or soldier be not reprised for what he loses he shall have three years' purchase. This is adopting a suggestion which came from one of the adventurers themselves. It might be well to write to Lord Angier who is possessed of 1,300 acres of land there and will help to deal with the adventurers. I find Sir Audley Mervin and others in the Commons favourable to the bill provided the adventurers can be prevailed upon to petition for its transmission. *Other details.*

P.S.—Lord Angier now tells me that some of the tenants have proposed six years' purchase. *Pp.* 2½. *Signed. Add. Endd. S.P. Ireland* 311, 26. *Enclosing—*

Draft of the Bill referred to in the foregoing.

"*In most humble manner beseech your most excellent Majesty your humble and faithful subjects . . . . in the behalf of themselves*

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and others your faithful subjects being adventurers and soldiers now possessed of the manors, messuages, lands &c., which were of Lewis Lord Viscount Clanmalira in your Majesty's kingdom of Ireland." Whereas *King James I. by letters patents dated* 15 *June*, 1618, *granted to Sir Terence Dempsey and Ounhye Dempsey and Sir Terence's heirs males the castles, seigneuries, lordships, lands, &c., in Clanmalira and Geshill set out in those patents, whereof your said subjects and other adventurers are now possessed, and wherein they are estated by the Act of Settlement; and* whereas *Lewis Viscount Clanmalira and his son Maximilian are the only issue of the said Sir Terence inheritable to the said entail, and that your Majesty by letters patents dated the — day of September*, 1662, *granted to Sir Henry "Bennett,"*[1] *&c., &c., the reversion of all the castles, lands, &c., granted by King James I., to Sir Terence and Ownhye as above for* 3,000 *years from the date of the falling in of the estate to the Crown; and* whereas *by the said grant, your subjects and the rest of the adventurers and soldiers, are prevented from having an absolute estate in the premises, but only a qualified fee determinable on the death of Lord Clanmalira and his son without issue male, which shall be a great discouragement to your said subjects; and* whereas *Lewis Lord Clanmalira did, by his claim now depending, ground his title of restitution on articles whereby the same is subject to previous reprisals, the want whereof may become a perpetual bar to his restitution, "which, and the instability of his former estate, being balanced with a present absolute estate in possession of part of the said lands, will be found of far less weight and value* than the said present part thereof[2] *for the support and livelihood of him and his posterity" for remedy whereof and relief of the parties concerned in the premises:—*

Be it enacted, &c., &c., that all the adventurers and soldiers who on 7 *May*, 1659, *have been seized of the said premises or any part thereof, and are, in case of restitution capable (within the said Act of Settlement) of reprise for or in respect of the same, shall be with all convenient speed reprised for the same respectively according to the rules for reprisals in the said Act specified for, and notwithstanding the said Act of Settlement or any matter or thing therein contained; and that the said Sir Henry Bennett be forthwith established in possession of all and singular the said manors, towns, lands, &c., at the rents, &c., placed upon the adventurers and soldiers by the Act of Settlement; yet to the intent and purpose that Sir Henry Bennett shall with all convenient speed convey and settle one-third part of the said premises in severalty by particular names of towns and villages upon Lord Viscount Clanmalira and his heirs. Pp.* 2½. *Endd. S.P. Ireland* 311, 26, 1.

27 Dec. COLONEL TALBOT to SECRETARY BENNET.

I spoke last night to Lord Anglesey. He has had gout, and not been able to do business; but is now better and promised to send to-day for all the parties concerned and to put the matter "in a way" by Wednesday next.

(1) The name is often spelt thus. (2) These words are added in another hand.

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Yesterday the Lord Lieutenant showed me a letter of yours relating to your brother and told me "the Duke" [the Duke of York?] had moved the King for Sir Thomas Armstrong's troop for him. The Lord Lieutenant told me that he was most anxious to serve you in this matter, but did not know how he could get over the difficulties which were in the way. Lord Cork, he said, had patents for the first troop that fell, and there were other claimants. He seems to approve the course we have adopted with regard to Clanmalira. When the bill is drawn [*see foregoing*] we will see what he says. Mr. O'Niele is in a desperate condition. *Pp.* 1½. (*Hol.*). *Endd. S.P. Ireland* 311, 27.

29 Dec. Whitehall. The KING to the LORD LIEUTENANT for the ROYAL SOCIETY.

By the contrivance of the trustees for the "Royal Society of London for promoting of real knowledge" and of other persons, a clause was put into our late Act of Settlement for Ireland enacting that all fractions of odd pounds, shillings and pence for arrears, adventures, public debts, &c., and all odd fractions of acres, roods and perches of lands which should be granted or settled in satisfaction of the same, should be stricken off and deducted and should be devoted to such purposes as we should prescribe. By our letters of — October, we directed you to make a grant of one half of these fragments to Robert Boyle and to Sir Robert Murray to the use of the said Society intending to grant the other moiety "to such public uses in that kingdom as the said Royal Society should propose and you should approve." We hear that two letters have nevertheless been passed—one to Sir Allen Broderick and the other to Henry Coventry, Esq., and Col. William Legg—for passing grants to them which are contrary to this intention. You shall stop the grants to Broderick, Coventry and Legg, and shall make grants of the whole sums to Boyle and Murray in trust for the benefit of the Society. Full and favourable clauses for execution. *Pp.* 1½. *S.P. Dom. Signet Office V. pp.* 329-30.

Same. SAME for the DUKE OF YORK.

Confirming the grant to him of the profits of estates of sundry attainted persons which was given by the King's letters of 3 April, 1661. He shall be paid the equivalent of the profits of those estates out of the treasure in Ireland. *P.* ¾. *Ibid. p.* 331.

Same. SAME for COLONEL ARTHUR HILL.

Our Declaration, published before the Act of Settlement, provided that the officers and soldiers who were owed for service in Ireland before 5 June, 1649, should be paid, and further contained a provision that all officers aforesaid should receive satisfaction for their arrears

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due to them before 5 June, 1649, out of the particulars in the said Declaration mentioned. Our later Declaration, embodied in the Act, provided for this satisfaction for these officers, other than those who have received "lands or money" for their pay due to them since 5 June, 1649. We are informed that, by the insertion of the word "money" in our later Declaration, which was not in our former one, Colonel Arthur Hill is excluded from the satisfaction designed for him by the earlier Declaration. It was not our intention so to exclude him, and we are unwilling that one who has served us so well as he has done should not have his arrears. You shall see that his arrears are stated in the same manner as those of other commissioned officers for service in Ireland before 5 June, 1649, in conformity with our Declaration of November 30, 1660, and shall give him lands worth 12*s.* 6*d.* in the £1 of such arrears—either from the lands appointed for payment of English arrears or from other lands at our disposal. The lands given him shall be reckoned as worth eight times their present annual value. He shall have grants by patents of these lands on the adventurers' terms as to rents, &c. *Pp.* 2½. *S.P. Dom. Signet Office V. pp.* 319-21.

Also note of docquet of same. Dated December 20. *S.P. Ireland* 312, *p.* 7.

29 Dec. Whitehall. The King to the Lord Lieutenant for Arthur, Earl of Donegall.

The Earl of Donegall has petitioned, showing us that his uncle Arthur, Lord Chichester, &c., Lord Deputy of Ireland, held certain valuable fishing rights within the area "contracted for by our said grandfather with the City of London." King James I. by letters patents, dated Dublin, 31 July, 1615, granted to Lord Chichester and his ass[ign]s during his natural life and during that of Arthur Chichester, his nephew, the petitioner, and one Arthur Langherne, and the longer liver of them, the fees of E4*s.* 2*d.* a day as captain, and E9*s.* a day for nine horsemen (12*d.* a day each), together with the command of the said horsemen, to be employed where Lord Chichester should think fit during his life and afterwards to be resident in the barony, territory, or country of Inishowen. The petition shows that this fee was paid for many years, but was suspended owing to the late disorders, and has not been placed in the present establishment. The fee was given for good consideration and in compensation for rights without the surrender of which the plantation of the city by London could not have gone forward. You shall consider the matter and shall, if you find the case to be as stated, give reasonable order for payment of these fees to the petitioner. You shall put the fees on our establishment and assign them to be paid, as they grow due, out of the customs of Carrickfergus. *Pp.* 1½. *S.P. Dom. Signet Office V. pp.* 335-6.

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20 Dec. Whitehall. The KING to the LORD LIEUTENANT concerning the Life Guards, &c.

Having heard of the great expense to which our troops of horse and guard of battleaxes which are under your immediate command are put, we direct you to take such steps by retrenchment or otherwise as you think right for giving them extra pay as from 21 Sept. last. You shall not, in doing this, exceed the establishment of our military list. *P.* ½. *Undated. S.P. Dom. Signet Office V p.* 311.

31 Dec. LORD CHANCELLOR EUSTACE to SECRETARY BENNET.

As my two "nepheawes" lately knighted are now settling here, I should be very pleased to see them early settled in the King's service as I was. I beg you to ask for the places for them mentioned in the accompanying drafts, that they may be so "rivited" in allegiance as to prevent any danger of their "turning aside like a broken bow" as some have done. "The elder, I mean Sir John, hath much more abilities in him than the place of puisne Baron of the Exchequer require" and I am sure Sir Maurice is a match for any of his predecessors.

It is true that they are *iuvenes aetate*; but this is all the objection that can be made to them. There are some as young as they on our benches; and they are *senes moribus*.

If the business of Ireland do not pass through one hand there will be much disorder in His Majesty's service and I need not tell you the ill consequences that will follow thereupon. "I had lately a letter from His Majesty, signed by you for the stopping of my Lord of Mount Alexander *fiant* at the Great Seal. There came another letter from His Majesty signed by Mr. Secretary Morris, directed to my Lord Lieutenant, requiring his lordship that it should pass and but one day difference in the date of both. What to do in this strait I know not, being between Scylla and Charyblis. *P.* 1. (*Hol.*). *Add. Endd. S.P. Ireland* 311, —.

[About Dec.]. Entry warrant to the Solicitor-General to include Daniel O'Brien in a bill lately sent to England for Viscount Mayo to be restored to his estates. *Six lines. S.P. Dom. Entry Books IX. p.* 183.

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1661. May. Docquet of confirmation of Peter Rogers in the place of Recorder of Waterford during his life. *Two lines. S.P. Dom. Docquets, XIX. p.* 116.

20 June. Docquet of licence to Robert Vyner, of London, merchant, to bury and transport to Ireland £30,000 worth of foreign coins of gold and silver to be paid to the army there. *Eight lines. Ibid. XX p.* 27 *b.*

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Nov. Docquet of pardon granted to the Duke of Ormond for all offences in Ireland or England committed before 29 Dec. last, according to the King's proclamation (the exception relating to the rebellion of Ireland alone excepted).

Same to Sir Richard Lane, of Thulske [Tulsk], co. Roscommon.

Same to Sir George Lane. *In all, p.* ½. *S.P. Dom. Docquets, XX. p.* 131.

Entries of Petitions.

Robert Southwell.—Asks for certain forfeited lands belonging to James Mellefont and Philip Barryoge in satisfaction for his debt for supplying the King's fleet in the port of "Lintale" [Kinsale?].

24 Oct. *Referred* to the Committee for Irish Affairs for consideration and report. *P.* ½. *S.P. Dom. Entry Books XIII. p.* 30.

Inhabitants of New Ross.—Plead their loyalty and banishment by Cromwell, and ask for restoration to franchises, trade, &c.

23 Dec. *Referred* to the Commissioners to be appointed for the Act of Settlement. *P.* ½. *Ibid. p.* 40.

Inhabitants of Kilkenny.—Similar to foregoing.

[Same.] *Referred*, &c., as foregoing. *P.* ½. *Ibid.*

Maurice Keting.—Desires to be put in possession of the manor of Ballibrett and other lands in King's County.

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2 Jan. *Rejerred, &c.*, as foregoing. *P.* ½. *Ibid. p.* 30.

David Kelley.—Prays for restoration to a small estate in Ireland lately possessed by Lord Carey [Carew].

9 Jan. *Referred, &c.*, as foregoing. *P.* ⅛. *Ibid. p.* 33.

Mary Warren.—Asks for restoration of the 10*s.* a week allowed her by the Lords Justices.

Same. *Rejerred, &c.*, as foregoing. *P.* ⅛. *Ibid.*

Mr. Nawe[?].—Is maimed. Wants a pension.

Same. *Referred, &c.*, as foregoing. *P.* ⅛. *Ibid.*

Jane, Countess Dowager of Mountrath.

Her husband died seised of many lands, which he claimed either by descent or by Royal grant. He left his descended estate, clear of debts, to his eldest son, and his other estates to petitioner and her children, to whom his creditors have to look. The eldest son and his heirs were directed by the will to give certain assurances to the younger children.

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Petitioner fears that the bill now under the Royal consideration for Settlement of Ireland may over-rule the provisions of her late husband's will, and prays for a clause in the bill providing for respect of that will.

9 Jan. Whitehall. *Referred* to the Committee [of the English Privy Council] for Irish Affairs. *Pp.* 2. *S.P. Dom. Entry Books XIII. pp.* 42-3.

Mr. Mabbot.—Desires confirmation of his former patent for granting wine licences in Ireland.

14 Jan. *Referred* to the Lord Lieutenant and Committee for Irish Affairs. *P.* ½. *Ibid. p.* 34.

William Sweetman and his son John Sweetman.—For restoration of their estate now in the hands of Captain Baker.

21 Jan. *Referred* to the Lord Lieutenant and Committee to consider and certify. *P.* ⅛. *Ibid. p.* 40.

Sir George St. Leger and his son Patrick.—For restoration to their estate of £400 a year in co. Kilkenny.

Same. *Referred* as foregoing. *P.* ⅛. *Ibid. p.* 40.

John Fitzgerald, of Gurtine, co. Kilkenny.—His mother married Captain Harrison, a rebel officer, and the said captain took lands in Connaught in lieu of petitioner's estate, during petitioner's minority. Nevertheless prays for restoration.

Same. *Referred, &c.*, as foregoing. *P.* ¼. *Ibid. p.* 41.

Nicholas French.—For restoration to his estate and freedom in Galway. Was banished for his loyalty.

Same. *Referred, &c.*, as foregoing. *P.* $\frac{1}{10}$. *Ibid. p.* 41.

Patrick Archer.—For same allowance to be paid him till the order sent to the Lords Justices in his favour can be carried out. *P.* ⅛. *Ibid. p.* 41.

Edmond Warren, of Dublin.—Furnished the Duke of Ormond with 750 barrels of wheat at the siege of Dublin in 1649, at the "rate" of £1,562 10*s.* Asks for payment, or for leave to transport from Ireland into foreign parts 1,600 bags of wool at 30 stone the bag.

6 Feb. *Referred* to the Irish Committee of the Privy Council. *P.* ½. *Ibid. p.* 46.

Also later petition of same with similar reference, dated 4 April, 1662. *Ibid. p.* 96.

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John Fitzgerald.—Became a ward to Charles I. on death of his father in 1643. Two thirds of his estate were then let to Morogh, now Earl of Inchiquin, during the King's interest. This has long expired, and the covenants in the lease have not been observed. Desires that nothing may be done till he has been heard herein.

6 Feb. *Referred* as foregoing. *P.* ½. *S.P. Dom. Entry Books XIII. p.* 47.

Hercules Hunkes.—Although the Declaration forbade that any of the "albardeer" guard at the late King's execution should profit by its provisions, Hunkes was, by special favour, restored to his lands and paid his arrears in Ireland and was given the benefit of the Declaration. He prays that a clause to this purport may be inserted in the Act now framing.

Same. *Referred* to the Lord Lieutenant and Committee as foregoing. *P.* ½. *Ibid. p.* 48.

Walter Archer.—Was, for his loyalty, expelled from his lands in Kilkenny, Tipperary and Ross. Desires restoration.

Same. *Referred* to the "Commissioners for Ireland." *P.* ¼. *Ibid. p.* 50.

Sir Adam Loftus.—Was in 1631 granted the office of Vice-Treasurer and Treasurer at Wars for Ireland during good behaviour. Prays to be restored thereto, or for satisfaction for the great debt which he has incurred in the Royal service.

Same. *Referred* to the Earl of Anglesey, Sir Charles Herbert and others for inspection of Sir Adam's accounts and report. *P.* ⅓. *Ibid. p.* 89.

Cicely Archer, *alias* Fitzgerald, *alias* Harrison.—Her estate was taken from her, after a pretended trial, for disloyalty to the usurper. Her husband took lands in Connaught. Prays that she may nevertheless be restored.

Same. *Referred* as last but two. *P.* ⅕. *Ibid. p.* 55.

Thomas Archer, of Kilkenny.—Prays for restoration. Never took lands in Connaught or Clare.
James Coweley, of Radestown, co. Kilkenny, asks the same.

Same. *Both referred* as foregoing. *In all, p.* ½. *Ibid. p.* 56.

About same. James Grace, Register of the Court of Chancery in Ireland. —Desires that his son Walter may have the reversion of his post. *Four lines. Undated. Ibid. p.* 49.

[About same.] John Fitzgerald.—Became a ward to the King in 1641 and by lease was given to the Earl of Inchiquin, who was to forfeit such lease upon non-payment. The Earl paid no

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rent from 1646-9, though enjoying the wardship. His Majesty on his restoration has, by an act of indemnity, released all wards that fell to him since 1641.

Desires not to be regranted to the Earl of Inchiquin. *P.* ½. *S.P. Dom. Entry Books XIII. p.* 59.

Fergus or Ferrall [Fergus O'Farrell] and his wife [Mary].—Desire a proviso in the Act of Settlement that a marriage portion of £500 sterling charged by "the Mary's" [the petitioner Mary's?] father on his estate of Moat, co. Longford, may be secured to the petitioner upon the adventurers who purchased the said estate.

26 Feb. *Referred* to "the Committee." *P.* ¼. *Ibid. p.* 64.

Captain Edward Hamilton.—Sets out his services under Montrose, Glencarn and others. The annexed certificate shows by what sufferings he has been compelled to mortgage his estate. Prays for the post of Provost Marshal of Leinster in reversion on Sir George Wentworth.

27 Feb. *Referred* to the Lord Lieutenant and Committee for Irish affairs. *P.* 1. *Ibid. pp.* 63-4.

Also similar entry of further petition of same, in which he desires repayment out of the customs of Galway. *P.* ½. with order of reference dated 18 April, 1662. *Ibid. p.* 97.

Sir James Shane.—Desires that his grant to be register to the Commissioners for Settlement of Ireland be secured in the Act by a proviso. He has patents for it.

Same. *Referred* to the "Committee of Ireland." *P.* ¼. *Ibid. p.* 61.

Same.—As there is an intention to take 12,000 acres in the barony of "Trye" [Tirawly?], co. Mayo, to advance the King's fishing and make a foreign plantation, he desires recompense, and not to be left to an uncertain reprisal. *P.* ¼. *Ibid. p.* 62.

John Burdiston [Burniston[1]].—Was gentleman usher to the late Princess Elizabeth and the Duke of Gloucester, and was, and yet is tenant, of several lands in Ireland called Timachoe [Timahoe], Gowrock [Carrick] and Giltowne, lately belonging to Thomas Fitzgerald. Others endeavour to dispossess him of these lands whilst he is attending the Commissioners from Ireland. He desires a proviso in the Bill of Settlement.

28 Feb. *Referred* to the Lord Lieutenant and Committee. *P.* ⅓. *Ibid. p.* 63.

(1) *See p.* 523.

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Feb. Docquet of grant to several persons, members of several companies of the city of London, of the towns of Londonderry and Coleraine in the kingdom of Ireland, with the lands, fishings, customs, &c., granted them by King James and King Charles at the old rents. *Six lines.* *S.P. Dom. Docquets, Vol. XXI. p.* 33.

John, Bishop of Elphin.—£750 is due to him in right of his wife, who is niece, heir, and executor of the late Edward Clerke. Clerke had, as a groom of the Bedchamber, £500 a year and this sum was due on that salary at the time of Clerke's death. Prays that it be paid.

[About 1] March. *Referred* to the Lord Lieutenant. *P.* 1. *S.P. Dom. Entry Books XIII. p.* 65.

Oliver, Lord Louth and Mathew Plunkett, his son.—Desire a proviso [in the Bill of Settlement] for restoration to their estates, they having already His Majesty's letters to the Justices for that purpose.[1] *P.* ¼. *Ibid. p.* 67.

James Wall and Garrett his son.—Desire a proviso in the Bill of Settlement for their restoration to such of their lands as they were dispossessed of by the usurped power, and also that they may be recommended for tenancy of such part of their estate as is in the King's hands.

5 March. *Referred* to the Duke of Ormond and the Committee for Irish Affairs. *P.* ⅓. *Ibid. p.* 72.

Captain John Casie.—Prays for William Brian's debts and mortgages due on the estates of Redmond Barry *alias* Macadam, of Rathcormick, co. Cork, and of John Rock-fitz Phillips [*sic*], of Cork, which are left to the Jesuits and also forfeited to the King. Their value is not above £40 a year.

13 March. *Referred* to the Lord Lieutenant and Committee for Irish Affairs. *P.* ½. *Ibid. p.* 76.

Nicholas D'Arcy of Plattin.[2]—Is not yet restored. Prays for an allowance from the Exchequer till his restoration be effected.

Same. *Referred* as foregoing. *P.* ½. *Ibid p.* 77.

Sir Robert Steward.—Desires that his arrears as captain of the castle and fort of Kilmore [Culmore] may be stated and reported by the honourable Committee of Irish Affairs; and that he may still enjoy this command, with a proviso in the Act of Settlement to preserve him.

15 March. *Referred* as above. *P.* ½. *Ibid. p.* 79.

(1) *See above p.* 220.
(2) *See above p.* 365.

1662.

[About 18 March.] Edmund Skirritt, of Askin.—Desires a proviso in the Act of Settlement to secure his estate. *Two lines. S.P. Dom. Entry Books XIII. p.* 81.

Patrick Sarsfield, of Lucan. Is innocent. Desires a proviso as foregoing.

18 March. *Referred* as last but one. *P.* ½. *Ibid.*

Colonel Richard Grace.—Desires renewal of an order which he obtained from the late King for a fair four times a year and a market twice a week, and to inclose part of his ground for a park in the town and lands of Moyely, also one for his brother to have fairs and markets on his lands of Courtstown, co. Kilkenny.

9 April. *Referred* to the Duke of Ormond for his consideration and report. *P.* ½. *Ibid. p.* 92.

Theobald, Lord Bourke, Baron of Brittas.—He has often been recommended to the King by the Parliament of Ireland to be provided for in the Act of Settlement.

15 April. *Referred* to the Duke of Ormond for his consideration and report. *P.* ½. *Ibid. p.* 95.

Sir Charles Hamilton desires a lease of part of the manor of "Freemore in the county of London"[1] [Freughmore, co. Tyrone], now in the possession of Tristars [Tristram] Beresford, who was a traitor.

[About same.] *Referred* as foregoing. *P.* ½. *Ibid.* 98.

Henry Lowther.—Sets out services of his father (late Governor of Pontefract) and brother, and desires remission of part of a rent of a certain estate in Ireland.

21 April. *Referred* as foregoing. *P.* ½. *Ibid. p.* 99.

30 April. Docquet of pardon to Edmond Henny, of Clanloughan, co. Cavan, for murder of Edmond McGennis with restitution of lands and goods and other usual clauses. *Six lines. S.P. Dom. Docquets Vol.* 21, *p.* 77.

Sir Robert Steward or Stewart.—Desires confirmation in the Governorship of Londonderry city and county. His grant thereof has been stopped by the "sinistrous" action of Colonel George.

3 May. *Referred* as foregoing. *P.* ⅓. *S.P. Dom. Entry Book XIII. p.* 118.

(1) *See above p.* 543

1662.

Viscount Marquisse [Magenis?] of Iveagh.—Is kept out of the estate in spite of the Royal orders of June 1660 and October 1661, and his nomination (as to be restored) in the Declaration. Asks that the rents of his estate may be for the present stopped in his tenants' hands, and that he may receive them with immediate possession of all his concealed lands in Ireland which were never disposed of.

17 May. *Referred* as foregoing. *P.* 1. *S.P. Dom. Entry Books XIII. p.* 124.

Henry, Earl of Dover. Desires a grant of all such concealed lands in Ireland, due to the Crown, as he shall discover.

30 May. *Referred* as foregoing. *P.* ¼. *Ibid. p.* 127.

George Ryves. Desires that the arrears of his brother Richard, of whom he is the executor, may be paid.

16 June. Hampton Court. *Referred* to the Duke of Ormond. *P.* ½. *Ibid. p.* 130.

June. Docquet. Warrant to the Exchequer for payment of £4,000 to the Earl of Anglesey, to be by him issued on account, as an advance to the seven Commissioners under the Act of Settlement and to Vangelder, goldsmith—£500 each. *Eight lines. S.P. Dom. Docquets Vol.* 21, *p.* 101.

11 Aug. Same. [Warrant] to pay Richard, Earl of Cork, John, Earl of Clare, Roger, Earl of Orrery, Oliver, Earl of Tyrconnell, and Robert Boyle, or any three or more of them, in trust for the Earl of Kildare, £2,000 as part of £10,000 which should have been allowed to his use by the Lord Lieutenant for his interest in the customs, &c., arising out of the towns and ports of Strangford, Ardglass and Down, co. Down, which the Earl and his ancestors have held since the time of King Henry VIII.; and to strike tallies for the same on the Commissioners of His Majesty's Customs. *Other details. Ten lines. Ibid. p.* 128.

FURTHER ADDENDA.

1660—1662.

1660.

Circ. July. Petition of Maurice Keating to the King, showing that:—

Edmund Keating, petitioner's father, executed the office of Comptroller of the Pipe in the Court of Exchequer in Ireland above 40 years faithfully and truly and suffered very much in his person and estate. He died lately and the office is in the King's gift.

Petitioner prays for a grant office. He was bred up in it and has kept the records since his father's death. *P.* ½. *Endd. S.P. Ireland* 311, 29.

1660.

About Aug. COPIES of PETITIONS to the KING of COLONEL CARY DILLON.

1. *Similar to the second petition calendared above at p.* 30 *and numbered S.P. Ireland* 305, 123. *P.* ⅔. *Endd. S.P. Ireland* 311, 30.

2. Shows that:—

Petitioner inherited £200 a year from his father. This came from certain dissolved monasteries[1] or other hereditaments which he had by grant from King Charles I. This grant was confirmed to petitioner on account of his father's and his own loyalty. Notwithstanding many efforts the petitioner is unable to find particulars of temporal lands to complete his said grant or indeed any worth the charge of passing. The only valuable things which petitioner has by grant of the late King were tithes and impropriations which were expressly included in the late King's grant, and these are now kept from him on account of a letter of the present King granting to the church all tithes as the respective leases shall expire. As the grant to petitioner's father preceded that to the church by so many years:

Petitioner prays that the Lords Justices be desired to pass such tithes and impropriations to him under the Great Seal as shall be found to complete his grant of £200 a year, and particularly those tithes in part as were held by his father and grandfather, Robert and James, Earls of Roscommon, from the Crown and are newly or nearly expired, *viz.*, Gallen, Reynadge [Reynagh] and others in the King's County and elsewhere. Alternatively he prays for a grant of certain forfeited lands in the co. Dublin or elsewhere in Ireland which he will suggest to the Lords Justices, proportioned in value to the aforesaid tithes and impropriations. *P.* ⅔. *Endd. in* Nicholas' *hand. Ibid.* 31.

December. DRAFT of the KING [to the LORDS JUSTICES] for COLONEL JOHN ANNESLEY.

He shall have the first troop of horse that falls vacant in Ireland. He resigned his commission at the time of the murder of the late King and has since been poor. *P.* ⅔. *Endd. Ibid.* 32.

About end 1660. FRAGMENT of DRAFT of the KING to the LORDS JUSTICES for CAPTAIN MARTIN WALSH.

Apparently intended to grant the petition calendared on pp. 75-76 *above, q.v. P.* ½. *Endd. Ibid.* 33.

Same. DRAFT of INSTRUCTIONS for the LORDS JUSTICES appointed for the Government of Ireland.

You shall go to the place where the Council sits, cause our commission to you to be read, and administer the oath to such as we have declared or shall declare to be of our Council.

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(1) The document is imperfect at its commencement and some of the sense has to be supplied by conjecture and by reference to *pp.* 30-31 above.

1660.

You shall by the advice of our Council appoint sheriffs and justices of the peace in the several counties of the kingdom, and cause the courts of justice to be open, whereby our good subjects who have long been oppressed may have justice.

You shall keep the peace of Ireland and hinder all such as are opposed to our crown and dignity.

You shall "according to your best skill and cunning" do all things pertaining to your office which may be for the increase of our revenue and advance of our service there.

You shall draft such bills as you, with the advice of the Council, think are for the good of our subjects there, and submit them for our consideration according to the text of Poynings' law, in order to the calling of a Parliament there with all convenient speed.

You shall reduce to the form of bills the concessions made by us to what is commonly called the General Convention of Ireland and transmit them to us that they may be passed in the Parliament intended to be called there.

You shall submit names of persons qualified to execute the provisions of our Declaration for settling the several interests in Ireland.

You shall obey our instructions from time to time.

You shall cause the oaths of Supremacy and Allegiance to be taken by all our subjects and proceed against those who refuse. *Pp.* 1½. *Endd. S.P. Ireland* 311, 34.

1661.

1661.
Jan. 16. Lord Kingston to Secretary Nicholas.

The Lord Steward desired me to wait on you and desire you from him that a letter be drawn for Major Robert Edgworth to be the Governor of the fort of Sligo in Ireland, with 10*s.* a day as salary. *P.* ½. (*Hol.*). *Add. Ibid.* 35.

Jan. 19. ——— to the Lords Justices.

The King approves what has been done for the Settlement of Ireland since your being sworn, and wishes that you may continue your prudent care in what may concern the good and settlement of the kingdom. The King has ordered a fresh patent to pass authorising you the Lords Justices or any two of you to act as Lords Justices. This is to avoid difficulties which may arise from the fact that there are three of you. *P.* 1. *Endd. Ibid.* 36.

Draft of the King to the Lords Justices for Captain Coghlan.

It appears from Captain Francis Coghlan's petition and the report thereon of Lord Chancellor Eustace grounded on our reference of 23 Nov. last [1660],[1] that Terence Coghlan, of Kilcolgan, King's Co., submitted to the Marquis of Ormond's authority and served

(1) *See above p.* 97.

1661.

him as Commissary General of the victuals. After Lord Ormond's departure from Ireland Terence and Francis sought refuge in Flanders, where Terence died in exile and Francis continued till our Restoration, he being in command of a foot company. Lord Chancellor Eustace also reports that Captain Francis is one who, under our Declaration, may be restored to such part of his estate as is not in possession of adventurers and soldiers, and that those in possession thereof should have reprisals elsewhere, and that he should be forthwith restored to such part of his said estate as was in the hands of Gregory Clement—one of those who have been put to death for the horrid murder of King Charles I. You shall restore him accordingly. Usual clauses for execution (*see above p.* 179, *note*).. *Pp.* 2. *Endd. S.P. Ireland* 311, 37.

[29[1] Jan., $166\frac{0}{1}$.] DRAFT of the KING [to the LORDS JUSTICES] for SIR ROBERT BYRON.

King Charles I. intended to grant the castle and lordship of Iniscorthy [Enniscorthy], late parcel of the inheritance of Robert Wallop, Esq., to Sir Robert Byron, as well as all Wallop's lands, which were supposed to be then forfeit to the Crown for rebellion. Wallop is excepted from all pardon, except as to his life, for having acted and sat in "that traitorous assembly" which in January, $164\frac{8}{9}$, proceeded against the life of King Charles I. We are pleased to confirm the grant intended by King Charles I. and direct you accordingly to pass patents granting Byron the castle and lordship of Enniscorthy and all the appurtenances held therewith by Robert Wallop and Robert Wallop's other lands. *Pp.* $1\frac{1}{2}$. *Endd. Ibid.* 38.

About Jan.[2] DRAFT of the KING [to the LORDS JUSTICES?].

Sir Maurice Eustace, the Earl of Orrery and the Earl of Mountrath are to be Lords Justices for the Government of Ireland and need to meet certain charges for the public service. You shall pay to Sir James Shaen, secretary to the said justices £500, to be by him disbursed on these charges. *P.* 1. *Ibid.* 39.

Feb. 6. DRAFT of the KING to [the SAME] for LORDS ORRERY and MASSEREENE.

Several sums of money and rents are to be paid in under our Declaration of 30 November, 1660, some of these relate to our private use, some are for reward of those who acted and suffered for us, and some are for satisfaction of those who received no reward for their service before 1649. We think fit for avoiding the difficulties which would arise if these different sums were paid into different hands, and to gratify the desires of the adventurers and soldiers who have attended us here in the matter, to have a commission issued empowering the Earl of Orrery and Lord Massereene

(1) Mr. Grattan Flood supplies me with this date.
(2) The Lords Justices were appointed about Dec., 1660. Their first proclamation dated 19 Jan., 1660-1, appears above *p.* 187.

1661.

to receive all such sums as are payable to us under this Declaration to the aforesaid uses in such manner as is prescribed by our Declaration and instructions. They shall keep books showing what they spend and receive and shall deliver the books and the moneys brought in to Viscount Valentia, our Vice-Treasurer and General Receiver of Ireland, who is to issue such part of the same as relates unto us or is to be disposed of by us to those who have acted or suffered for us according to the warrants or orders he may from time to time receive from us. He shall also pay sums out of this fund to those who have received no pay for service in our cause before 1649, according to such warrants as he shall receive signed by five or more Commissioners nominated in the said instructions who are hereby empowered to do the same. For their pains in collecting, receiving and paying over the same, &c., they may charge 6*d.* in every 20*s.* which they receive.[1] *P.* ½. *Endd. S.P. Ireland* 311, 40.

Early 1661 [?]. DRAFT of the KING [to the LORD CHANCELLOR and LORDS JUSTICES] for LORD KINGSTON.

Certain lands in Ireland belonging or reported to belong to Edward Dendy and William Hewlett (the last of whom was lately attainted for the murder of Charles I.) certain other lands, &c., set out for arrears and services of Humphrey Hurd *alias* Lieutenant-Colonel or Colonel Hurd, Richard Laughlin *alias* Captain Laughlin or Captain MacLaughlin, and Anthony Baskett *alias* Captain Baskett who were of "that wicked guard of Halbertiers," &c.—and all their other estates—are in our hands. You shall put Lord Kingston into possession of these lands and give him power to receive the rents thereof. You shall afterwards grant him these lands by patents. If he cannot have these lands you shall give him others of equal value elsewhere. If there be no land in Ireland for persons who in consequence of this grant are removed from their lands you shall only permit Lord Kingston to purchase them or so much of them as he shall desire by placing thereon such allowed and just adventures, arrears, reprizes and encumbrances or decrees as he shall think fit and as are satisfiable and to be satisfied thereon according to the tenor of our Declaration. *Pp.* 2¼. *Endd. Ibid.* 41.

March 3. DRAFT of the KING to the LORDS JUSTICES for [ROBERT] GRIFFITH.

Draft of the grant entered last on p. 245 *above at this date. P.* ½. *Add. Endd. with note in French on foreign affairs. Ibid.* 42.

[1] A letter of this date is referred to in the grant to Orrery and Massereene of 18 June, 1662 [*above p.* 560]. No such grant appears at this date in the Signet Office Book, but this draft may be a draft of such grant.

1661.

Circ. April. DRAFT of the KING to the LORDS JUSTICES.

We directed you by our letters of 9 and 15 March last [*see above pp.* 253 *and* 264 for substance of the direction]. We continue firm in that resolution. In spite of anything which may have reached you from us since you shall obey those directions until released by our particular letters therefrom. *P.* ⅔, *in* Nicholas' *hand. Endd. S.P. Ireland* 311, 43.

[July.] PETITION to the KING of EDWARD, son of EDMUND VISCOUNT MOUNTGARRETT and his now wife, showing that:—

Petitioner's father's estate was disposed of by the usurpers while his father was abroad with the King in his sufferings, and petitioner hoped only that something might be provided for him out of his mother's estate in England. But the usurped powers, pretending that petitioner's mother was a delinquent, plundered and sequestered her, and sold all her estate by one of their pretended laws "there being but one or two of her sex that were made such examples for their loyalty."

She was so impoverished by these losses that she is unable to make provision for the petitioner. Lord Mountgarrett is also too poor to provide for his son.

He prays for the post of an equerry to the King's "most Royal intended Consort." *P.* ⅔, *to which is attached*:—

July 26. The DUKE of ORMOND to SECRETARY NICHOLAS.

Desires this petition to be presented to the King. Has already spoken to the King on petitioner's behalf, but received only the usual answer that he would be put on the King's list. *P.* 1. (*Hol.*). *In all, pp.* 1⅔. *Ibid.* 44.

About Sept. DRAFT of the KING [to the LORDS JUSTICES] for MAJOR HENRY O'NEALE or O'NEILE.

Recommending him afresh for restoration to the estate. The Major's letters already written in his favour have not, as O'Neale's further petition shows, had the desired effect.[1] *P.* ½. *Endd. Ibid.* 45.

1662.

1662. General date 7 Jan. DOCUMENTS RELATING TO THE MANAGEMENT OF THE POSTAL SERVICE IN IRELAND.

Affidavit of William Brand, aged 23 or thereabouts.

The postages in Ireland were settled by Mr. Evan Vaughan, as deponent believes, about 1655. Deponent knows this because in 1656 he went with one Captain Talbot and Mr. Vaughan to resettle them upon Mr. Thurloe's account.

(1) For the various grants and letters to O'Neale *see Index s.v.* O'Neale, Major Henry.

1662.

In 1658 one Mr. Samuel Bathurst was sent over by Mr. Thurloe to be postmaster of Ireland, who forthwith got Mr. Vaughan out of his place; and shortly after did the like with Captain Talbot and altered the course of the Post Office in Dublin, which were formerly well managed, and content given to all people. After this change there was a great discontent and "the busines in the office was managed confusedly." Deponent was in the office at the time, and was witness of these confusions.

Mr. Vaughan having been put out, went to London, and agreed with Mr. Thurloe that he and Captain Bathurst should have the office in common. Vaughan then returned, and, as a result of his return, the arrangements of the post office improved. Deponent, who was in the post office, witnessed these improvements.

In February, $16\frac{59}{60}$, to the best of deponents remembrance, Mr. Vaughan was sent from Dublin to London with a Declaration in favour of a free Parliament. While he was away Mr. Bathurst put his brother-in-law into the post office, and, for this purpose only, moved out an experienced man. This change caused further confusion.

Mr. Vaughan had rooms for his wife and family in the house. Mr. Bathurst gradually occupied these rooms—first borrowing some for his wife to lay goods in: and to deponent's knowledge detained from Mrs. Vaughan the letters her husband sent her.

Mr. Bathurst in Ludlow's time inclined much towards the Anabaptist doctrine. He carried to the Anabaptists any letters that might come from them, and opened the letters addressed to many gentlemen and merchants. He opened a packet addressed to Lord Broghill.

Mr. Bathurst used to get the English mail contrary to Mr. Vaughan's wish, when he could, and used to have the letters opened. Deponent knew that many persons had letters delivered open out of the office. Vaughan used to have the mail opened in public and no complaints were ever made. Mr. Bathurst used to carry letters home and no one knew what became of them. When the English mail was made up Bathurst used to take it into his house, so that often the packet missed its passage which could not be made good in a week or a fortnight's time. This he did when Vaughan was away. Deponent knows this because it was his business to carry the mail aboard.

When in Ludlow's time a Declaration was made in Dublin for a free Parliament, one George Harrison, who was in the post office and a friend of Ludlow's, wrote a treacherous and dangerous letter to one Captain Mosse, a grand Anabaptist. This Sir Charles Coote intercepted and it was brought to Dublin.

Harrison confessed to having written it, and order was made by "a Committee" that he should be punished and put out of his office.

Bathurst, however, desired and endeavoured to keep him in and it was only by the efforts of Vaughan that he was put out.

Many attempts were made by the Declarations to turn out Vaughan on the ground of his being a Royalist.

1662.

Vaughan always endeavoured to discharge his duties to the satisfaction of all people in Ireland, and without partiality. He was often troubled at the neglect of Bathurst, and had to stay for his letters an hour or two. Deponent knew this, as he had to make up the mails and send them forward.

Bathurst last winter altered all the postages on the roads in Ireland, putting two into one and turning many postmasters out of their places. Deponent heard complaints of these postmasters who were dismissed unpaid, and of the non-delivery of letters. The post boys leave packets containing letters at ale-houses of no repute, where, if not called for, they may be lost. The letters are not, as formerly they were, delivered to the addressees from the several stages.

Vaughan settled the stages in all parts of Ireland so conveniently that gentlemen could ride post; and under him care was taken for the delivery of letters. As Mr. Bathurst has altered the stages none can now ride post; and the country suffers much by non-delivery of letters.

Mr. Bathurst is a merchant and often has goods brought to Holyhead and sent over in the "packet portmantles" and in the post barks. He thus escapes "port and custom." When the bark comes in he sends a post boy and horse for them. Deponent has seen them opened at the office and Bathurst's goods taken out. *Other details.* *P.* 1 (*large*). *Signed* William Brand, London, 7 January, 1661[-2], *with note* [*in Latin*] *that* this deposition was taken before Na[thaniel] Hobart, Master in Chancery, on 15 June, 1661, and witnessed as to 'many of its particulars," by Richard Walcot and John Cooke, who are ready to come and swear to such particulars if called upon to do so. *S.P. Ireland* 311, 46.

Petition to the King of Robert Trueman on behalf of himself and many other merchants of Ireland, showing that:—

Mr. Evan Vaughan established posts all over Ireland, which were a great public convenience and saving to His Majesty's horse. Care was taken to deliver letters as appears by the annexed certificates [missing]. Samuel Bathurst was sent over by Mr. Thurloe and displaced Vaughan and is continued as postmaster by order from Colonel Bishop the present Postmaster-General.

Bathurst altered the stages in all Ireland; and great abuses are committed in the office in Dublin by opening letters, &c. [*see last document for facts, which are here repeated*]. The safe and quick despatch of letters is an urgent public necessity.

Petitioners pray that some trustworthy person be appointed Postmaster of Ireland or that Vaughan be restored.

The undersigned will testify to the truth of the facts herein stated or called upon. *P.* ¾. *Signed by* Trueman *and also by* Hugh Lloyd, John Deacon, John Crooke and Edward Griffith. *S.P. Ireland* 311, 47.

This concludes the documents relating to this case.

1662.

Early 1662 [?] DRAFT of the KING to the [LORDS JUSTICES] for HEYWARD ST. LEGER.

Directing that he be made Provost Marshal for Munster in reversion for his own life and that of Warham St. Leger, his son, after the death of the present patentee. *P.* ⅔. *Endd. S.P. Ireland* 311, 48.

January. PETITION of GERALD AYLMER to the KING, showing that:—

Petitioner was restored by the King's orders of 11 October last, grounded on the certificate of the Duke of Ormond, &c., &c., wherein petitioner's innocency was fully established. By the King's letters also of 11 February last [*see above p.* 214] petitioner was restored to his said lands. He had them put out of charge in the Court of Exchequer and was and is restored to such of his lands as are not in the hands of adventurers or soldiers. He fears that the bill now transmitted out of Ireland may contain something to his disadvantage, he being a Roman Catholic. He prays for a proviso to be inserted in the said bill for his protection and restoration to such of his lands as are in the hands of adventurers and soldiers. *P.* 1. *Underwritten with*—

Order, dated 8 Jan., 166½, referring the petition to the Committee for the Affairs of Ireland. *P.* 1. *Endd. Ibid.* 49.

[Early 1662.] DRAFT of ROYAL WARRANT to the LORD LIEUTENANT.

Sir Edward Nicholas certifies to our satisfaction that King Charles I. granted to William Rosse, Esq., a warrant for the creation of a Viscount in Ireland or a sum equal to the value thereof. This warrant was dated at Oxford, 31 March, 1646. We are bound to see it carried out, and therefore direct you to allow the said warrant to pass into letters patent, or else to appoint to Rosse so much of the discoveries of concealed lands, moneys, goods, debts or other profits belonging to us in Ireland, or such as have been out of charge at any time in, or since the reign of King James I., discovered now or hereafter by the said Rosse as shall be worth £3,000. *P.* ½. Dated ——, 1662. *Ibid.* 50.

[Same.] Note of the Commissions to the Earl of Strafford (13 Jan., 1640) and to the Duke of Ormond (21 Feb., 1662) to be Lords Lieutenant of Ireland. *P.* ¾. *Endd. Ibid.* 51.

Feb. 4. SUGGESTION in favour of EDWARD VERNON [of Clontarf].

Whereas there is not yet any claim entered before the Commissioners for adjudication of claims on behalf Patrick or Martin Scurlock or Robert [?] King for the manor of Clontarf granted to

166½.

Edward Vernon; and [whereas] Scurlock and King have lived constantly in Ireland and were adherers to the Irish rebellion and so cannot be restored by the Act [bill] of Settlement; it is prayed that no letters be procured from the King on their behalf for admitting such new claims which will put the said Vernon whose claims are allowed by the Lord Lieutenant and Council to further trouble and charge. *P.* 1. (*Hol.*). *Endd.* "*Edward Vernon at the Privy Chamber lodgings. If anybody comes concerning Mr. Scurlocke, let notice be given as above.*" *S.P. Ireland* 311, 52.

Feb. 21. Westminster Palace. PASSPORT for JOHN MAGRATH.

He is of an old Irish family, has served the King as captain in his Irish forces, and is going abroad to serve foreign princes. Those to whom these shall come shall let him pass with his trunks and servants. *P.* ½. *Latin. With sign manual, countersign of* Nicholas, *and seal. Endd. S.P. Ireland* 311, 53.

[Early 1662.] MEMORANDUM to [JOSEPH] WILLIAMSON.

Mr. Williamson: You are entreated to give notice whenever you hear of any of the below-named trying to be listed in the bill now framing for Ireland:—

William Power of Inch, Edmund Power, of Shanegary, James Magner, Nicholas Meagh, Francis Roch, Maurice Fitzgerald, Edmund Supple. All these are of Munster in the barony of Imokelly [Imokilly].

Teige O'Hea, of Ibane. And with these Sir William Penne is concerned.

William Barryoge, of Rincorran [Ringcurran]. William Mallefont, of Southwatersland. And with these Mr. Southwell is concerned. *P.* ½. *Endd. Ibid.* 54.

[Same.] DRAFT of the KING to the LORDS JUSTICES for COLONEL CHRISTOPHER ROPER.

By our letters of 21 August last, we ordered and recommended Colonel Roper for payment of what appears due to him as arrears of a pension of 6*s.* a day formerly granted to him by King James I. We see by your letters of 5 March last to Secretary Nicholas that you have caused these arrears to be stated, but have not been able to pay them. We now again direct you to satisfy him by such means as may best accord with our affairs in Ireland. *P.* ¾. *Endd. Ibid.* 55.

1662.

31 March. COPY of PETITION of MAJOR JAMES DURHAM to the KING, showing that:—

Petitioner has been imprisoned and sequestrated and lost all his fortune in Ireland for his loyalty. He prays to be admitted as tenant to the Crown of those lands whereof Sir James Craig's lease has now expired, to wit Ahane Lisnaboye [Lisnaboy], Keyllcurryhine [Kerrycurrihy], and Killknockane in the barony of Duhallow, co. Cork. He will give security for payment of the rent. *P.* 1. *Endd. in* Nicholas' *hand*: 'The petitioner is to address himself to the Lords Justices,' *followed by*—

Note regarding Major Durham.

Testifying that about August 15 last the King signed a warrant directed to Lord Roberts and the other Lords Justices there for giving a company of foot to Major Durham in reward for his faithful services.[1] *P.* ½. Dated Whitehall, March, 1661[-2]. *P.* 1. *Endd. S.P. Ireland* 311, 56.

March. PETITION to the KING of JOHN BURNISTON,[2] showing that:—

Petitioner, in the worst of the late times, faithfully served the late Duke of Gloucester and late Princess Elizabeth as gentleman usher till the death of the late Princess Elizabeth at Carisbrooke Castle. He has since been loyal.

Petitioner is at present tenant to the King of certain lands in co. Kildare called Tymachoe [Timahoe], Garocke [Carrick] and Giltown, late the property of Thomas Fitzgerald. He has for the past seven months been giving his attendance to the Commissioners sent from Ireland by the Lords Justices with certain bills as their secretary. Some persons, taking advantage of his long absence, are endeavouring to get possession of these lands to the ruin of petitioner's wife and ten small children.

He prays for a proviso to be inserted in the Bill of Settlement whereby he may have such encumbrances as he hath purchased, satisfied upon the aforesaid lands (which, by the Declaration and Instructions for the settlement of that kingdom are appointed for the satisfaction of encumbrances) at such rates and rents, &c., as are expressed in the said Declaration and Instructions. *P.* 1. *Underwritten with*—

Order, dated 28 Feb., 166½, Whitehall, referring the petition to the Duke of Ormond and the Committee for Irish affairs, *and endd. with*—

Same. REPORT by the DUKE OF ORMOND and the COMMITTEE aforesaid upon the FOREGOING PETITION.

Recommending that petitioner have the tenancy of the aforesaid lands, which are in his possession, until such time as it shall

(1) *See also* the grant at *p.* 363 *above.*
(2) *See above p.* 523, for letter granting this petition.

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appear, upon the execution of the Act, how these lands may be further disposed of. *P.* ½. *Signed* "Ormond, Manchester, Anglesey, Denzell Holles, Edward Nicholas." *In all, pp.* 1½. *S.P. Ireland* 311, 57.

May 20. Kinsale. REPORT of ROBERT SOUTHWELL and JOHN STEPNY in regard to the victualling office of Kinsale.

[There is] a cutting house (which serves for slaughtering and cutting of meat), 58 feet long and 21 feet broad, with a salt house adjoining, and one entire loft over both.

There is a workhouse for coopers, 30 feet long, 12 feet broad, near which is an old decayed shed, 36 feet long, which is not worth repairing.

The building and key [quay] may be put in good repair for £20 sterling. *P.* ½. *Endd. Ibid.* 58.

General date May. SYNOPSIS OF INSTRUCTIONS GIVEN TO THE DUKE OF ORMOND [as Lord Lieutenant of Ireland] in 1662.

The heads of the instructions include :—Divine worship.

Reparation of churches and competent maintenance of ministers.

Free course of justice.

Pleas between party and party to be remitted to law. Courts of judicature to be inspected. Pardons and protections to be sparingly granted. Extortions and oppressions to be redressed.

The Council and Barons of the Exchequer to meet often and discuss how the revenue may be increased and the charges diminished.

Beeves for the Navy suggested. The Lord Lieutenant to report his conceptions on that matter.

Lands not in charge not to be released or granted in *custodium* before an office be found, a record entered, an indifferent valuation made and put in charge with the auditor, and security given to answer the rent and perform the conditions.

Leases not to be renewed without suitable fine and increase of rent.

Escheated lands not to be let before being justly valued by the Surveyor or his deputy. Able sheriffs to be chosen. The Castle Chamber to be re-settled and upheld. All moneys to be paid in to the Vice-Treasurer. The farm of the Customs—to be offered first to the companies and corporations, unless a farm for the whole be found more profitable. As to trade—to be encouraged. The coin there to be reduced so soon as may be to sterling.

The army to be well disciplined, and disposed as may be most for the general safety.

No licence of absence for above three months to be given. The quartermaster and one trumpeter to be retrenched in every troop. Certain propositions made by Lord Wentworth and recorded in the Register of Council Causes for February 22, 163½, to be renewed.

Former instructions, especially those to Falkland and Strafford, to be consulted. *Pp.* 2.

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May. Heads of further Instructions to Same, in 1662, concerning the Mint in Ireland.

See above, *pp.* 544-545, for instructions of which this is a synopsis. *P.* 1, *in all, pp.* 3. These heads of instructions are the last in a book containing the heads of instructions to Sir Anthony St. Leger, 1 March, 155$\frac{3}{4}$. To the Earl of Sussex, 5 March, 155$\frac{7}{8}$; to the same [by Queen Elizabeth] on 10 and 16 July, 1559, in 1560, 1561, and in 1562. To Sir Henry Sidney in 1565, on October 24, 1565, on 20 April, 1 May, and June 20, 1568. To Sir William Drury, 1578. To Sir John Perrott, 1584. To Sir William Fitzwilliams, December, 1587; to the same from the Lords of the Council in January, 158$\frac{8}{9}$. To Sir William Russell, 1594. To Lord Burgh, 1596. To the Earl of Essex, 1599. To Lord Mountjoy, 1600. To Lord Falkland, 1628. *Pp.* 68. *Written with large spaces. S.P. Ireland* 311, 59.

General date June 22.[1]

DOCUMENTS RELATING TO THE CASE OF THOMAS TILSON AND OTHERS.

Copy of Petition of Thomas Tilson to the King, on behalf of himself and the other children of Henry, late Bishop of Elphin, deceased, showing that:—

Petitioner's father at the beginning of the late rebellion in Ireland maintained the garrison of Elphin Castle for nearly five years at his own expense, "having held out a very long siege and many desperate assaults therein."

He further in April, 1642, lent £450 at the request of Lord Ranelagh, President of Connaught, and Sir Charles Coote, now Earl of Mountrath, for pay of the King's soldiers, and supplying the Royal garrisons. He sends evidence of this loan. By these sacrifices, petitioner's father was much impoverished. In the time of the late calamities, he died in 1655.

Petitioner also suffered much, and is deserving of the Royal favour. His father's disbursements for the Royal cause were £2,000. *P.* $\frac{1}{2}$. *Underwritten with*—

Copy of order, dated 22 August, 1661, *and signed* [*not autograph*] *by* Nicholas, referring the petition to the Commissioners from the Parliament of Ireland appointed to attend the King. *In all, p.* $\frac{3}{4}$. *Ibid.* 60.

Report by the Earls of Kildare and Mountalexander and the Bishop of Elphin on the foregoing Petition.

In obedience to your Majesty's reference of 7 September last, we have considered Tilson's petition. We find the facts to be as stated and we think the petitioner's detriment cannot be much less than £2,000. As, however, the Exchequer in Ireland has to bear many

(1) *See above at p.* 566. The order at the end of this petition is apparently a copy.

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charges we think that it would be fitting to pay the petitioner £1,000 out of the forfeited bonds remaining in the Exchequer or out of the adventurers' and soldiers' money payable towards relief of those who have most eminently suffered for your cause. *Pp.* 1¼. Dated 12 October, 1661. *Signed by the above and endd. in* Nicholas' *hand. S.P. Ireland* 311, 61.

Further Petition to the King of Tilson, on behalf &c. [*as above*].

Refers to the petition and recites the report given above. As the Duke of Ormond, "who is very connsant [cognisant?] of the petitioners' sad condition and sufferings," is now Lord Lieutenant, he prays for a direction to the Lord Lieutenant to give him relief or for other remedy. *P.* ⅔. *Endd. with—*

Order, dated 4 April, Whitehall, *and signed by* Secretary Nicholas referring the petition to the Duke of Ormond. *Ibid.* 62.

Also entry of this petition and order. *S.P. Dom. Entry Books XIII. p.* 95.

Report by the Duke of Ormond on the foregoing petition.

Recommends that it be granted and that the money be paid out of the fund reserved by the Declaration for rewarding those that have suffered for the Royal cause. *P.* ½. *Signed. Endd. S.P. Ireland* 311, 63.

Draft of the King to the Lord Lieutenant.

Refers to foregoing and directs that £2,000 be paid to Tilson or his assignees for the use of him and the Bishop of Elphin's other children. *P.* ½. *Undated. Ibid.* 64.

This concludes the documents relating to this case.

About June. DRAFT of the KING to the LORDS JUSTICES concerning forfeited Recognizances.

Similar to the letter of the King to the Lord Treasurer of Ireland on the same subject dated 18 June, 1662, *and calendared above at pp.* 559-560, *q.v. P.* ⅔. *Endd.* generally and "Received and approved of 1 March, 166$\frac{0}{1}$." *S.P. Ireland* 311, 65.

Whitehall. [*sic.*] DRAFT of the KING to the LORD LIEUTENANT for HENRY O'NEILL or O'NEALE, of Killalagh, co. Antrim.

Draft of the grant (No. 1) to same, dated Hampton Court and 6 July, 1662, *calendared on p.* 571 *above, q.v. Pp.* 1¾. *Ibid.* 66.

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July 7. Warwick House. SIR GEORGE LANE to SECRETARY NICHOLAS.

Sending him a draft of the letter and petition of Captain Owen McCarty and desiring that he will offer it to the King for the petitioner's despatch. *P.* ½. (*Hol.*). *Add. S.P. Ireland* 311, 67.

Aug. 5. Whitehall. DRAFT of the KING to the LORD LIEUTENANT concerning transportation of wool.

By several Acts of the Parliament of Ireland, notably those of 11 and 13 Elizabeth, great customs are laid upon the exportation of wools, flocks, and other commodities, with grievous penalties for those that do not pay them, "the meaning whereof was to stay the said commodities to be wrought within that our realm of Ireland, which the experience of later times hath found to be very prejudicial not only to us in our customs and to our subjects of Ireland, wanting formerly and much more at present (through the late depopulations there) sufficient means to manufacture all their own wools and commodities in that our kingdom, but also to our subjects in England, for that in case our subjects of Ireland were able and should by the said Acts be enforced to manufacture all their said wools in Ireland, the same would be (as may reasonably be conceived) of insufferable inconvenience to the trade of clothing in our kingdom of England, considering that wools being cheaper in Ireland (ordinarily by four shillings the ton) than here, our subjects there might thereby undersell our subjects here, and consequently much decay the trade of clothing in this our kingdom, which we may not admit." For mitigating the aforesaid laws and for the welfare of both our kingdoms we give you authority—as has been given to former governors of Ireland—to grant licences to persons to export wool and flocks, &c., to England only, and to grant pardon for any offences against the above mentioned Acts as you think fit.

You shall empower the Lord Chancellor by a commission which shall date from 28 July last, that being the day when you last received the Sword, to exercise the aforesaid powers during our pleasure. *Pp.* 2½, *countersigned by* Nicholas (*copy*), *and certified a copy of* Thomas Page. (*Hol.*). *Endd. Ibid.* 68.

General date, October. DOCUMENTS RELATING TO HENRY LOWTHER'S CASE.

Henry Lowther to Joseph Williamson.

Concerning an abatement which he desires to obtain in the rent which he pays to the Crown from his estate in Ireland. Wishes to get the matter settled this summer. *P.* 1, *dated* Cockermouth, 18 July, 1662. (*Hol.*). *Add. Endd. Ibid.* 69.

Same to Same.

I have seen Sir George Lane at the court at Dublin, who promised to do what he could for me, but he has not yet been able

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to get my petition read at the Council. I could not await the completion of the matter. I thank you for your services. *P.* 1. (*Hol.*). *Add.* Dated Cockermouth, October, 1662, *and endd.* Received 17 Oct., 1662. *S.P. Ireland* 311, 70.

This concludes the documents relating to this case.

About Oct. [Sir Thomas Clarges to the Duke of Ormond ?].[1]

"May it please your Grace."

The King is entreated on behalf of his mother and others for the restoration of Patrick Sarsfield, of Lurcore [Lucan], whereunto his Majesty is fully inclined. For accomplishment of these designs your Grace would [should] call for Sir Theophilus Jones and others possessing Sarsfield's estate and acquaint him and them with the King's resolution therein, to the end they may look for reprisals, which they cannot miss of according to the information given His Majesty by the Commissioners from the late Convention of Ireland. Sir Theophilus must be aware of the King's resolution.

Mr. Secretary would [should] write two lines to His Grace or Sir George Lane that Captain Rosse, who is useful here, be allowed a further licence of absence. *P.* ½. *In* Sir Thomas Clarges' [?] *hand. S.P. Ireland* 311, 71.

About August. Note of the Petition of Dacres Barrett.

He mentions the decree concerning certain lands owned by the then Viscount Loftus, which decree upon the appeal of the said Viscount was fully confirmed by the King in full Council in 1639. Edward, son of the said Viscount, has by surprise (disingenuously concealing the material circumstances of the business), obtained the King's letters of 26 July, 1662, for passing a bill to vacate the decree of 1637, thereby unworthily blemishing the honour of His late Majesty and his two Council Boards of England and Ireland.

Petitioner prays for an act confirming the said solemn decree. *P.* ½. *Endd. Ibid.* 72.

Same. Copy of the humble and hearty Address of the Mayor, Alderman, Sheriffs, and Common Council of the city of Limerick on behalf of themselves and the other citizens to James, Duke of Ormond, Lord Lieutenant of Ireland.

The news of your appointment filled the hearts of the loyal English and Protestants here with joy. Your gallantry in the time of rebellion and subsequent loyalty can never be forgotten.

(1) *See above p.* 597 for documents relating to this case.

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We have no sympathy with the "inhuman treachery and contemptuous disloyalty" of former inhabitants, and are loyal to the King. We approve of your endeavours in support of the Royal cause "against the old and new erroneous enemies of our church and kingdom's peace." *P.* 1. *Signed by*—

John Comyn, Mayor.

Standish Harbstonge [*sic*], Recorder.

William Hartwell, Thomas Miller, William Yarwell, Thomas Marten, Ralph Wilson, William Wade, Peter Ash, Daniel Hignett, John Frend, John Collins, Henry Price, Henry Salfield, Henry Byndon, James Banting, William Pope, and Christopher Keys. *Endd. S.P. Ireland* 311, 73.

About August. SIMILAR ADDRESS to the SAME from the OFFICERS of the ARMY in Limerick, Clare and Kerry on behalf of themselves and the soldiers under their command.

Contains loyal and flattering expressions similar as to those in foregoing. They look upon him as under God and the King "the only 'leafe' for healing of this nation, and the only pilot that after so long and perilous a tempest can steer the almost wracked bottom of the English interest in this kingdom into a harbour of tranquillity." Further loyal expressions. *P.* ¾. *Signed by*—

William King, Robert Manly, Ger. Fitzgerald, Thomas Cullen, Robt. Oliver, Ulick Fitzmaurice, Robert Russell, Walter Croker, James Robinson, Ralph Wilson, George Ingoldsby, John Bowmer, Barry Foulk, Wm. Jesse, Daniel Farrell, Boyle Burrt [*sic*], James Bonting, and Henry Bindon. *Endd. Ibid.* 74.

About Oct. [DRAFT of a SUGGESTED LETTER from] the KING to the LORD LIEUTENANT.

Recommending Patrick Sarsfield of Lucan, for restoration of this estate. He is within the Act of Settlement. *P.* ½. *Endd. Ibid.* 75.

Circ. 1662. MEMORANDUM concerning SIR JOHN SHERLOCK.

Sherlock's arrears shall be paid over to John and William Ashburnham, to whom he made them over in trust for several uses. *Three lines, with note in* Nicholas' *hand.* "To be put into the instructions for Ireland." *Endd.* "My Lady Sherlock. Her arrears, to be put into the instructions." *Ibid.* 76.

Same. NOTE concerning SIR DANIEL BELLINGHAM.

The Earl of Anglesey desires a letter from the King to the Mayor, Aldermen, &c., of Dublin, to the effect that as Alderman Bellingham's experience makes his constant attendance as Deputy Receiver desirable, owing to the unsettlement of the revenue in

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Ireland, the King desires them not to make choice of Sir Daniel to be Mayor of Dublin for the next year, if he should chance to be nominated or proposed for that employment. *P.* ½. *Endd. S.P. Ireland* 311, 77.

DRAFT of the KING to the DUKE OF ALBEMARLE as Lord Lieutenant and LORD ROBERTS [ROBARTES] as Lord Justice and to any other Lord Justice of Ireland for JOHN, BISHOP OF RAPHOE.

Recites his services in building the Castle of Raphoe and in maintaining a company of foot at his own cost in 1641. The King had granted him as a recompense the forfeited lands belonging to the MacSwynes' sept in the barony of Kilmacrenan, co. Donegal. The general management and disposal of forfeited lands is, however, to be settled by the next Parliament. Directs them to submit the Bishop's case to the next Parliament, and to request that he be allowed these lands or the equivalent of them. *P.* ⅔ (*large*). *Ed. with a note by* Lord Chancellor Eustace, approving the draft. *Ibid.* 78.

End of 1662. PETITION to the KING of CAPTAIN JOHN COCKS, of the King's late garrison of Dunkirk, showing that:—

Petitioner served the King before his restoration and since then has been captain of a foot company in the said garrison till its surrender.[1]

Petitioner has lately discovered, by the assistance of the old proprietor, that the two ploughlands of Burrane and Killemer [Killimer], with appurtenances, containing 400 acres or thereabouts in the barony of Clanderalae [Clonderalaw], co. Clare, were, in 1641, in the possession of Sir Tiege MacMahon, knight, and Brian MacMahon, or one of them, who were afterwards sequestered for rebellion and the lands set out to Colonel Francis Willoughby for his service under Oliver Cromwell. Since the restoration these lands were taken from Colonel Willoughby by the Court of Claims and have ever since remained undisposed of. The freehold is in the King.

He prays for a grant of these lands in consideration of his services, poverty and want of employment, and as he is a younger brother. *P.* ½. *Endd. Ibid.* 79.

1662. COPY of PETITION to the EARL OF CLARENDON and LORD KEEPER of the GREAT SEAL of ENGLAND of the COMMITTEE of ADVENTURERS for lands in IRELAND on behalf of themselves and the rest of the Adventurers, showing that:—

They are informed that some persons are endeavouring to make void the grace and favour granted by His Majesty in his Declaration

(1) Dunkirk was surrendered, for a sum received, to the French in October, 1662. *See Calendar of S.P. Dom.*, 1661-2. *Index, s.v.* Dunkirk.

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to his Protestant subjects and to those who advanced money upon the Ordinance of 14 July, 1643. A letter of the late King in June, 1642, encouraged the adventurers to continue advancing money for relief of Ireland according to the direction of both Houses of Parliament, to whom the King left the sole management of that affair. In pursuance of this letter the petitioners continued to subscribe money for Ireland; who, as your petitioners are informed, employed it faithfully in that service. The King—considering the inconvenience which would attend the removal of the persons in possession by virtue of that Ordinance, and the great advantages which would accrue by laying the quit-rent upon the English acre when by the Act of Parliament it was to have been upon the Irish, thereby for ever increasing his revenue above ⅓ more than before, also the payment of two half-years' rents besides the lapsed money—was pleased to give them equal settlement with the other adventurers and other interests provided for in the Declaration.

They cannot hear without grief of heart that, whilst they are awaiting an Irish Act of Parliament to confirm that settlement, any attempt should be made to disturb it. *Pp.* 1½. *S.P. Ireland* 311, 80.

About 1662. DRAFT of ORDER to the COMMISSIONERS for executing the Act of Settlement.

As Randall, Marquis of Antrim, has cleared himself of what was laid to his charge after our Restoration, and was not favoured by the usurper, who dispossessed him of his whole estate and suffered much in our father's cause, we direct that when you proceed to the hearing of the Marquis of Antrim's claim you allow him to pass as an innocent person and deal with him in order to his restitution to his former estate, in the manner provided by the Act of Settlement for dealing with persons whom you think well to restore. *Pp.* 1½. *Endd. Ibid.* 81.

About Same. DRAFT of the KING to the LORDS JUSTICES for VISCOUNT and VISCOUNTESS MUSKERY [*sic*].

They petition showing that several sums are due to them from us for arrears of service of Ulick, late Marquis of Clanricarde, who was Viscountess Muskery's father. They desire to be reimbursed out of certain mortgages made of fee simple lands by the late Marquis. You shall have their accounts stated and grant them relief in the manner indicated. *P.* ½. *Endd.*, Recommendation of the Lord Muskery's petition to the Lords Justices. *Ibid.* 82.

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JOHN KEATING to SIR HENRY BENNET, Principal Secretary of State.[1]

I formerly presented a petition to the King asking that no more preferences might be granted within the '49 security. The nature of these preferences is this:—Particular persons desire that such cities, towns, or lands as they themselves name may be appropriated to the satisfaction of such arrears as are due to them, which, if granted, particular persons will engross the flower of the said security unto themselves, which is designed to be divided with equality and "indifferency." Mr. Elliott, of the Bedchamber, is petitioning to have the city of Cork set apart for the satisfaction of such arrears before 1649, as he or his friends shall purchase. *P.* 1. (*Hol.*). *Add. Endd. S.P. Ireland* 311, 83.

About 1662. The KING to the ADMIRALS, VICE-ADMIRALS, &c. [on the coast] and to the CUSTOMERS, SEARCHERS, &c., whom it may concern.

Directing them to permit the ship *Andrew*, whereof Henry Le Roy is master, from Rouen to pass [to Ireland] and return with her cargo of *hides, tallow, butter, beef and frize.* She is bringing wine for the Duke of Ormond's household and other goods.

P. ⅔, *the italicised words interpolated, not in an official hand. Endd. Ibid.* 84.

LIST of PERSONS who have been Lord Lieutenant or Deputy of Ireland.

Begins with Leonard Lord Grey (1536-9), and ends with the Duke of Ormond (1662). *Pp.* 2½. *Endd. Ibid.* 85.

COPY of PETITION of RICHARD LEGGE [*sic*] to the KING, showing that:—

He has long served the late King in the wars and has been imprisoned ever since the defeat of the late Earl of Derby, now nearly ten years since "and became useless to himself for the future through the tediousness and severity of the said confinement."

King Charles I. granted a small proportion of Crown interest in Connaught to one Sir Edward Powvy [Povey], for a time yet unexpired. Sir Edward left but one son, who is old and without issue. Petitioner prays for the unexpired term of the lease when the son dies, at a fair rent. *P.* ½. *Ibid.* 86.

[1] Appointed October, 1662.

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COPY of PETITION of WILLIAM LEGG [*sic*] to SAME.

Protests his loyalty and sufferings for the Royal cause in the late troubles. He has discovered an estate in Ireland belonging to traitors, who were instrumental in the death of the late King.

He prays for a grant of such estate of this kind as he may discover, as His Majesty may release. *P.* ½. *Endd. in* Nicholas' *hand. S.P. Ireland* 311, 87.

PRINTS of the ACT of SETTLEMENT.

Two copies bound together. Dublin. Printed by John Crooke, 1662. *Each pp.* 124½. *Ibid.* 88.

About 1662. DRAFT of KING'S LETTER in the matter of the MARQUIS OF ANTRIM and his creditors.

Whereas Archibald Steward, John Trailman, and other sureties for Randall, Marquis of Antrim, and Sir Thomas Soames, Thomas Carleton, Robert Thompson, and about sixty other creditors of the said Marquis have petitioned us to be in possession of the barony of Carey [Cary] and Island of Rackins [Rathlin ?], in co. Antrim, formerly leased to the said sureties for 99 years, towards satisfaction of the creditors, and whereas the sureties have been wrongfully dispossessed, we referred the matter to the Council Board in Ireland for determination. Upon the report of the said Board we direct, for the benefit of the petitioners, that the rents due out of these lands the 1st of November, if properly due to them, be retained in the tenants' hands, and that those who pretend to these lands do not intermeddle with them until the matter is finally determined. *P.* ¼. *Endd. Ibid.* 89.

Last date, 1662. LIST of PAPERS RELATING to IRELAND.

This list contains the names or headings of various documents or sets of documents beginning with "Sir Lucas Dillon about suspension of Poynings' Law, 1585," and ends with "Papers about the settling of the lands in Ireland, 1660-1662." *Pp.* 1¾. *Endd.* A list of papers relating to Ireland inquired after for by the Bishop of Derry. *Ibid.* 90.

PRINT of the ACT for taking away the COURT of WARDS and LIVERIES and tenures *in capite* and by knight's service. Dublin. Printed by John Crooke, printer to the King's Most Excellent Majesty, and sold by Samuel Dancer, 1662. *Pp.* 16. *Ibid.* 91.

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The KING to the LORD LIEUTENANT for DANIEL O'NEILE, O'NEALE or O'NIELL, of the King's Bedchamber.

Directing that O'Niell be given an estate of the net value of £500 a year in Ireland. He has resigned a pension of that value which was given him charged on the rents of the Hanaper Office in Ireland by King Charles I. *P.* ½. *S.P. Dom. Signet Office V. pp.* 280-281.

ENTRY of PETITION of O'NIELL.

Asks for some part of his pay due for services in Ireland. *Two lines, with note of* order, dated 21 March, 1662, referring the petition to the Duke of Ormond, to certify what proportion is fit to be allowed. *P.* ⅛. *S.P. Dom. Entry Book XIII. p.* 83. [*Put with foregoing for convenience.*]

END OF VOLUME.

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As the documents are various, the Master of the Rolls considers that they will demand a corresponding mode of treatment. The following rules are to be observed :—

1st. All formal and official documents, such as letters of credence, warrants, grants, and the like, should be described as briefly as possible.

2nd. Letters and documents referring to one subject only should be catalogued as briefly as is consistent with correctness. But when they contain miscellaneous news, such a description should be given as will enable a reader to form an adequate notion of the variety of their contents.

3rd. Wherever a letter or paper is especially difficult to decipher, or the allusions more than ordinarily obscure, it will be advisable for the Editor to adhere, as closely as is consistent with brevity, to the text of the document. He is to do the same when it contains secret or very rare information.

4th. Where the Editor has deciphered letters in cipher, the decipher may be printed at full length. But when a contemporary or authorised decipher exists it will be sufficient to treat the cipher as an ordinary document.

5th. Striking peculiarities of expression, proverbs, manners, &c., are to be noticed.

6th. Original dates are to be given at the close of each entry, that the reader may know the exact evidence by which the marginal dates are determined.

7th. Where letters are endorsed by the receivers and the date of their delivery specified, these endorsements are to be recorded.

8th. The number of written pages of each document is to be specified, as a security for its integrity, and that readers may know what proportion the abstract bears to the original.

9th. The language of every document is to be specified. If, however, the greater part of the collection be in English, it will be sufficient to denote those only which are in a different tongue.

10th. Where documents have been printed, a reference should be given to the publication.

11th. Each series is to be chronological.

12th. The Prefaces of Editors, in explanation of documents in the volume, are not to exceed fifty pages, unless the written permission of the Master of the Rolls to the contrary be obtained.

*** Editors employed in foreign archives are to transcribe at full length important and secret papers.

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